

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – MARCH 20, 2024

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on March 20, 2024. Mr. Lewis called the meeting to order at 7:35 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  
   Paul DeFiore, Township Engineer  
   Kenneth Coluzzi, Chief of Police

INTERVIEW: Peter Solor – Patterson Farm Master Plan Implementation Committee

Mr. Solor stated he is interested in supporting Township activities, he has served on the EAC, and is currently serving on the Zoning Hearing Board. He stated he has been asked *informally for his opinion on various things regarding the Patterson Farm over the last ten years by Supervisors and Township Managers*. He stated he would like to assist with the implementation and provide his experience. He stated he will continue to serve on the Zoning Hearing Board if he is appointed to the Patterson Farm Master Plan Implementation Committee.

Mr. Lewis stated we are actively trying to get members of the community to be involved. He stated there are other individuals who have expressed interest, and there will be other interviews. He stated those interested in being part of this Committee should contact the Township.

#### COMMUNITY ANNOUNCEMENTS

Mr. Lewis stated during this portion of the Agenda residents and youth organizations may call in to make a special announcement or contact the Township at [admin@lmt.org](mailto:admin@lmt.org) to request a special announcement be added

to the Agenda. There was no one from the public wishing to make a special announcement at this time.

Mr. Lewis stated the Yardley Farmer's Market will be held at the Lower Makefield Township Community Center, 1550 Oxford Valley Road, Yardley, PA 19067 from 10:00 a.m. to 12:00 p.m. the first and third Saturdays from December, 2024 through April, 2024. For more information, you can view the Yardley Farmer's Market Facebook page at Yardley Farmers Market.

Mr. Lewis stated the Parks & Recreation Department is hiring for all seasonal summer positions including the Pool, Summer Camp, and field maintenance. To apply visit [www.lmt.org](http://www.lmt.org)

Mr. Lewis stated Registration for the Pool at LMT is open. To register please visit [www.lmt.org](http://www.lmt.org).

Mr. Lewis stated the Park & Recreation Department and the Macclesfield Park Steering Committee will host a Macclesfield Park Open House on March 26, 2024 from 6:30 pm. 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. He stated this is an opportunity for residents to make their voices heard and share their perspectives on Macclesfield and the future of the Park.

Mr. Lewis stated Lower Makefield Township along with Newtown Township is hosting a documentary film on bird migration at the Historic Newtown Theater, 120 N. State St., Newtown, PA 18940 on Tuesday, April 2, 2024 at 7:30 p.m. For more information visit our Website at [www.lmt.org](http://www.lmt.org)

Mr. Lewis stated Lower Makefield Township is hosting a Flood Insurance Roundtable session with a representative from PEMA on Wednesday, April 17, 2024 from 5:00 p.m. to 7:00 p.m. at the Township Building, 1100 Edgewood Road, Yardley, PA 19067.

Mr. Lewis stated Lower Makefield Township's Environmental Advisory Council is hosting another Styrofoam & Recycling event at the Township Building, 1100 Edgewood Road, Yardley, PA 19067 on Saturday, April 20, from 10:00 a.m. to Noon. Ms. Blundi stated they do not accept Styrofoam peanuts or take-out food containers, but they do accept clean, white Styrofoam. Mr. Lewis stated they also accept wine corks and clean pill bottles with the stickers removed.

Mr. Lewis stated unused medications that are controlled substances can be dropped off at the Police Station which has a special box for those to be dropped off. Chief Coluzzi stated that is open during the week Monday to Friday during business hours which are 8:00 a.m. to 4:30 p.m. He added they do not accept liquids in glass.

Mr. Lewis stated if residents have other waste products which are toxic in nature, Bucks County runs recurring recycling and collection programs, and more information on that can be found on the Bucks County Website.

Mr. Lewis stated Lower Makefield Township's Environmental Advisory Council is sponsoring a free PA Bird Town Falconry Class at Memorial Park, 1950 Woodside Road, Yardley, PA 19067 on Saturday, April 20, 2024 at 3:00 p.m. For more information visit our Website at [www.lmt.org](http://www.lmt.org).

Ms. Blundi stated the Friends of Slate Hill Cemetery will hold a clean-up at 10:00 a.m. on May 4 (rain date May 5), and they are looking for volunteers to help clean up the Cemetery. She stated they did a great job last year, but there is more work to be done.

#### PUBLIC COMMENT

Mr. Zachary Rubin, 1661 Covington Road, commended the Board for putting the Public Comment at an earlier time on the Agenda. Mr. Rubin stated Wegmans opened today, and there was a Union demonstration. He stated he knows that Wegmans is a non-Union grocery store as is Giant and McCaffrey's. He stated ShopRite is a Union shop. He stated there is a lot of construction going on at the Wegmans shopping center for the other buildings that are not open yet, and he asked if the majority of them are Union contractors. Mr. Lewis stated he does not believe that there are any Union contractors on that project. Mr. Truelove stated that would be up to the developer to make that decision. Mr. Rubin stated he recalls that in the past when they were planning Prickett Preserve, there was a lot of Union and political support on the grounds that it was going to bring good Union jobs, but apparently that never came to fruition.

Mr. Rubin stated in Edgewood Village there is a State Farm Agency in a building that was previously owned by the Township. He stated the building was sold to the State Farm Agency. He stated there were many meetings as to whether the signs there would conform to the "historical presence."

Mr. Rubin stated currently there are a lot of advertising flags on that property, and he asked if that is permitted and did it go before HARB to permit the flags. He stated the building was Dedicated to the Township by the developer; and when the Township sold it, it was discussed that the Historical Commission and the Planning Commission objected to the Township selling it to the State Farm Agency. Mr. Kratzer stated they will look into this. He stated it may be temporary signage that may not jurisdictionally fall under the purview of HARB.

Mr. Larry Borda, 508 Heritage Oak Drive, welcomed Mr. Ross. He stated he understands that Mr. Ross is an “independent thinker, and we could use some of that on this Board, and that we could use some intelligence which was lost when Mr. Weiss was here.” Mr. Borda stated he feels that the Wegmans was a huge mistake for the Township for a de minimus tax benefit, if any, once you factor in the Police; and all we have done is add a lot of traffic and crime. He stated we have also endangered McCaffrey’s which has been a long-standing good citizen of the Township, and we now have an empty CVS store on Stony Hill Road, which he does not know if it will ever be filled.

Mr. Borda stated in addition to that, the Sewer was sold in a process that he believes was deficient and left millions of dollars on the table. He stated since that time our rates have at least quadrupled; and as opposed to our having control over the rates, we are subject to a for-profit entity which goes before the Pennsylvania Utility Commission.

Mr. Borda stated he welcomes Mr. Ross and wishes him great success, and he will do whatever he can to make that happen.

Ms. Sasha Toro, 1111 Big Oak Road, stated she would like to get more information about the Easement that backs up into her yard as she would like to obtain that part of the Easement and make it part of her land. She stated she called the Township a number of times, but they do not seem to know who owns it. She stated she knows that the Township does maintain it and they cut the grass. She stated it is an “L-shaped” Easement that is off Big Oak Road and Stony Hill.

Mr. Kratzer asked Ms. Toro to send him an e-mail ([dkratzer@lmt.org](mailto:dkratzer@lmt.org)) as he is not familiar with what she is referring to; and he will follow up with the parties internally to determine who the Easement holder is and if we would be able to address it in some fashion.

Mr. McCartney asked if the Easement she is referring to is to the right of her property if she walks out her front door, and Ms. Toro agreed. Mr. McCartney stated it looks like it is owned by the Yardley Crest Homeowners' Association, which is the development behind her property. Ms. Toro stated she believes that they bought that land when they built the houses; however, now it is not used by anyone, and she wanted to know if there was any way that she could buy the Lot and make it part of her property. Mr. Kratzer stated while he will follow up with her e-mail, if it is owned by a private association, the Township would have no jurisdiction over that issue; and Ms. Toro would have to negotiate with that private property owner to obtain that area.

#### APPROVAL OF CONSENT AGENDA ITEMS

Mr. Lewis stated at the last meeting there was discussion about batching the non-controversial items into one block to help improve meeting time and responsiveness. He stated the items are listed, and if anyone has a concern with any of the Consent Agenda items, they could be removed. There was no one wishing to remove any of the Consent Agenda items.

Mr. Lewis welcomed Mr. Barry Luber who has been hired as the Chief Financial Officer and Mr. Robert Vandegrift as the Parks and Recreation Program Manager.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to approve all of the Consent Agenda Items as follows:

- Approval of the Minutes for the March, 6, 2024 meeting
- Approval of the February, 2024 Treasurer's Report
- Approval of the February, 2024 Interfund Transfers
- Approval of Warrant Lists for February 20, 2024, March 4, 2024, and March 18, 2024
- Ratify and confirm the hiring of Barry P. Luber as Chief Financial Officer
- Ratify and confirm the hiring of Robert Vandegrift, Jr. as Parks & Recreation Program Manager
- Approval of the 2024 Bucks County Consortium Road Materials Bid

PARKS & RECREATION

Approve Awarding the Food Concessions Contract at the Pool at LMT to Sicilia Catering Company, LLC for 2024, 2025 and 2026 (\$6,200 for 2024, 2025 and 2026 Pricing to be Determined by the Annual Percentage Change in the Consumer Price Index for All Urban Consumers – Budgeted Item)

Mr. McCartney moved, Mr. Ross seconded and it was unanimously carried to approve awarding the Food Concessions Contract at the Pool at LMT to Sicilia Catering Company, LLC for 2024, 2025, and 2026 (\$6,200 for 2024, 2025 and 2026 pricing to be determined by the annual percentage change in the Consumer Price Index for All Urban Consumers.

Approval of Proposal from Keystone Sport Construction (COSTARS-14-E23-312) for Repair of the Existing Basketball Court at Memorial Park (2024 Budgeted Item \$231,000 Allocated Budget)

Ms. Blundi moved and Mr. McCartney seconded to approve the proposal from Keystone Sport Construction (COSTARS-14-E23-312) for repair of the existing basketball court at Memorial Park.

Ms. Blundi stated the proposal is in two parts, the first being essentially testing of the existing structure where there are cracks; and it is no longer safe to be used. She stated possibly 7% of the price of the Contract will be allocated to testing to see “if the rest of the Plan holds up” so we are making assumptions that this will be a typical replacement project; however, she feels the condition of the court suggests that it will not be typical. She stated this side of the Township has very hard, clay soil, and she suspects that we will find that there will be a lot of work required and not just simple resurfacing and repainting of the court. Ms. Blundi asked Ms. Tierney if she has any insight into what we might expect. She stated while she wants to get the court fixed, she is concerned that it will cost much more than we are thinking about.

Ms. Tierney stated that is why we asked Keystone to split it into two parts because we were not sure. She stated Keystone did not foresee any issues; however, to be safe we asked them to split it up in two parts. Ms. Blundi stated presumably when it was initially installed, they did not feel there would be any issues either.

Mr. Kratzer stated we do not know what the sub-base of the court looks like; and the thought was to first investigate what is underneath the courts, and then make a determination as to whether we want to proceed with the repair or whether the scope of the repair is broader than what is contemplated.

Ms. Blundi stated under the proposal, there is a long list of what is not covered; and it is a list that gives rise to the issues that she is concerned about. She stated she understands that we need to fix it, but she also does not want to start a project that we think will cost about \$250,000, and the project ends up costing substantially more. Ms. Tierney stated the quote came in at \$192,322; and we budgeted \$230,000. She added that she does understand Ms. Blundi's concerns.

Mr. Kratzer stated we are not obligated for the second phase of the project, and the only way to determine what is beneath the surface is to do an investigation to determine the scope of what may be occurring underneath the surface. He stated he does not know how else they could do this without doing the project as contemplated. Ms. Blundi asked if there is the possibility of doing an assessment, and Mr. Kratzer stated that is Phase 1 of the project. Ms. Blundi asked if Phase 1 is done are we committed to Phase 2; and Mr. Kratzer stated we are not committing to Phase 2, and there is the ability to stop work after Phase 1 which is the investigation.

Mr. McCartney asked the cost of Phase 1, and It was noted that it is about \$19,000.

Mr. Grenier stated these are geo-technical cores, which are not uncommon. He stated we could put out just the core testing through an RFP to see what we would get there. He asked if we obtained an internal estimate from staff or the Township engineer as to what they feel this would cost; and Ms. Tierney stated we did not. Mr. Grenier stated he feels that would be good to see what the scope would look like and what a reasonable engineering estimate would be to execute the first Phase. He stated he believes that Mr. Fuller probably does a lot of that as well. Mr. Kratzer stated his general reaction to the 7 ½% based on the total cost was that was generally reflective of what you should expect from a market perspective so there was some evaluation of cost. Mr. Kratzer stated you are not obligated to Phase 2 at all. He stated he does not know what would be gained by breaking this up and going through a Request for Proposal or having someone else engaged that would ultimately not be scoping out the improvement that needs to be done.

Mr. Lewis stated he knows that this went through the COSTARS process for bidding, and Mr. Kratzer agreed. Mr. Lewis asked if we were to revise the Motion to say that the approval is for Phase 1 and it would be for Phase 2 assuming we do not have any significant overages in the Budget, would that address some of the Supervisors' concerns.

Mr. Ross asked if we could get Public Works to saw cut out the corner of the court a few inches back so that we could see the thickness and the sub-strata that they used for it. Mr. Kratzer stated we could attempt to do that although he is not sure it is as simple as that. He stated the proposal was to use geo-probes and trying to investigate the sub-surface. Mr. Ross stated if there are cracking issues, it is either going to the thickness of the material or it is sub-strata base that they used to lay it. He stated if they were to cut a few inches back in a corner, they could see what was originally done.

Mr. DeFiore stated a geo-technical investigation, taking a section, would be helpful to see what is underneath in the sub-grade. He stated the construction of it is also key. He stated he feels looking at a section would be proper. Mr. Kratzer stated that is exactly what is proposed as part of the proposal. Mr. DeFiore stated he had not seen the proposal. Mr. Kratzer stated Phase 1 is preparation of the geo-technical summary report presenting the results and recommendations based on the scope outlined and that will include the description of sub-surface conditions including description of exploration and sampling methods, soil identification classification, results of geo-technical analysis, results of laboratory testing, test boring logs, test boring profiles, photographic documentation of cores, and exploration plan. Mr. Kratzer stated he assumes that if RVE were going to do this, they would do something similar; and Mr. DeFiore agreed that what is proposed sounds excellent.

Mr. Grenier asked if it is possible to break out the Phases, and Bid out just the geo-technical analysis as he feels it is high for geo-tech for a basketball court. Mr. Grenier also asked how this is being funded, and Ms. Tierney stated she believes it is funded through Park & Rec Fee-In-Lieu.

Mr. Kratzer stated at this point we have a basketball court that is closed. Mr. Lewis agreed that the crack is huge, and it is not safe. Mr. Grenier stated if it is that bad, you would expect that what is underneath will be bad too. He stated phasing is important. He stated he is also disappointed that we only got a "one lump sum."



Ms. Blundi stated 7 ½% of the total Contract price is for Phase 1, and the total Contract price is \$192,000. She asked Mr. Grenier if he feels that is out of line, and Mr. Grenier stated he does. Mr. Grenier stated they also did not fill out the line item table which is typically provided. He stated he likes to see each line item so that we can understand how much each item is.

Mr. McCartney stated we know that we have to get this repaired, and he asked if the total cost to get it repaired is \$196,000. Mr. Kratzer stated what they are anticipating without seeing what the sub-surface conditions are is \$192,000, and that includes the repair and the cost of the evaluation. Mr. McCartney asked what are the underlying costs there could be if there was not the correct sub-base which seems is likely. Mr. Grenier stated there are three pages of exclusions that talk about what could be added to the cost. Ms. Blundi stated she believes that they would have to remove everything and start all over. Mr. McCartney asked the age of the courts, and Ms. Blundi stated it is less than twenty years. Mr. McCartney asked Ms. Tierney if she knows who the original contractor was, and Ms. Tierney stated she does not. Mr. McCartney asked if they were COSTARS; and Ms. Tierney stated she does not believe so, and that it was part of a broader-scope project. Mr. Truelove stated it was probably done in 2003/2004.

Mr. Kratzer stated at this point the only obligation the Board is committing to is the \$14,424.19 which is the 7 ½% for the geo-technical evaluation which is reflective of Phase 1. He stated at that point, to the extent that there are issues that are uncovered, they would probably have to re-scope what the second Phase would look like to address those issues. He stated they would not be able to repair the facility without having an understanding of what is happening underneath the surface of the basketball court.

Mr. McCartney stated best case scenario is \$192,000; but we have no idea as to the worst-case scenario. Mr. Kratzer stated at that point the Board would have to make a determination whether it makes sense to proceed with Phase 2 based on all of the considerations. He stated not understanding what is occurring is only going to result in a closed basketball court.

Mr. Grenier stated he does not believe the Board is arguing against Phase 1, but Phase 1 was not Bid out separately; and the “total cost of the activities” could be less if Phase 1 were Bid out separately. He stated we do not want to be obligated to Phase 2. Mr. Grenier asked if we could Bid Phase 2 separately after we have the information and understand what is involved, and Mr. Kratzer agreed. Mr. Grenier stated the exclusions include no engineering design “or any other

work”; and it would be a totally different scope of work if the results come back saying we need to rebuild something because the sub-surface was not correct. He stated this is why he would like to make sure that we still have the ability to Bid that separately since this company may not be the company to do it. Mr. Kratzer stated this document is structured so that the Phase 2 activities are at the Township’s discretion based on the results of the Phase 1 findings. He stated if we feel that we do not want the Phase 1 as part of the overall project, we can get separate proposals for the geo-technical evaluations, but that will take additional time, and the result is uncertain in terms of what that will cost.

Mr. Lewis stated there are costs associated with going back out to Bid and restarting the process. He stated if we were to just look at Phase 1, we would be in a better position. He stated their initial assessment may be that they do not believe that there is an issue; but whatever we get we should review so that the company is not “just looking to get the rest of the money.”

Mr. Lewis asked if Ms. Blundi would agree to a Motion that we would approve Phase 1 tonight; and depending on the results of Phase 1, Phase 2 would be reviewed, and Ms. Blundi and Mr. McCartney agreed to this.

Mr. Lewis stated the Warranty section had a court in Pittsburgh so we need the corrected address. He stated he feels it would also be good to get some additional details on the line items. He stated there were also fourteen choices of colors, and he did not see which one was chosen. Ms. Tierney stated she was suggesting the same color. Mr. Lewis stated at that court we also need the trees to grow in, and we need more trees there.

Motion carried to approve Phase 1 of the proposal from Keystone Sport Construction for the repair of the basketball courts; and depending on the results of Phase 1, Phase 2 will be reviewed with Ms. Blundi opposed.

#### POLICE

#### Approval of the Purchase of 2 Solor-Powered Digital Speed Signs at a Cost Not to Exceed of \$10,000 to be Installed on Yardley-Morrisville Road (Unbudgeted Item)

Chief Coluzzi stated that this and the next item are traffic safety issues that the Township Manager, SAFE Highway Engineering, and the Police Department have been working on for some time; and we finally received PennDOT approval for the signage.

Chief Coluzzi stated the signs will be installed in both directions on Yardley-Morrisville Road.

Mr. Ross moved and Mr. Grenier seconded to approve the purchase of 2 solar-powered digital speed signs at a cost not to exceed of \$10,000 on Yardley-Morrisville Road.

Mr. Lewis stated this was the result of the Citizens Traffic Commission's and SAFE Engineering's review. Mr. Grenier stated he appreciates the residents for bringing this to our attention and going through the process with CTC and the Police. He stated he is curious to see how they are implemented as there have been some requests from other locations, and it may be something that we look at in the future in different locations to help with traffic safety.

Ms. Blundi stated she appreciates the residents bringing this forward and feels that it is a great idea. She stated while they have suggested where the signs should go, she asked that the Police Department and the traffic engineer weigh in to make sure that the signage is in the best place; and since it will be close to someone's house, that we do our best to make it as palatable as possible. Chief Coluzzi stated they will do that, and SAFE Engineering will go out and mark where the signage should be. He added that he understands from Mr. Fuller that this is something that Public Works can install.

Mr. McCartney asked if these are temporary or permanent, and Chief Coluzzi stated they are permanent.

Mr. Lewis stated he believes that they have logging software so that we will know what speed drivers are traveling although we would not know who are the individuals that are driving by. He stated this will provide a metric over time so that we will know if speeds are increasing or decreasing.

Motion carried unanimously.

Approval of the Purchase of 2 LED Pedestrian Crossing Signs at a Cost Not to Exceed of \$4,500 to be Installed Adjacent to Black Rock Road East and West of the Delaware Canal Towpath (Unbudgeted Item)

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to approve the purchase of 2 LED pedestrian crossing signs at a cost not to exceed of \$4,500 to be installed adjacent to Black Rock Road East and West of the Delaware Canal Towpath.

Ms. Blundi stated since the installation of the bike path across the Delaware, there is a lot more pedestrian and bike traffic along the Canal and that Interchange. She stated it is sometimes difficult to see people depending on your car and the slope of the hill. She asked that Chief Coluzzi and SAFE look at the area of the Canal crossing on Woodside Road to see if that area would benefit from this type of signage.

#### ENGINEER - GENERAL PROJECT UPDATES

Mr. DeFiore stated the Board received the Engineer's Report dated March 14. He stated related to Highland Drive, they had a follow-up meeting with PA American Water on March 7 and implemented the revised water line. He stated there is also a new estimated Project Permitting goal date of July 1. He stated this includes all utility coordination and General Permit #5 for the utilities. He stated it also includes the required General Permits #3 and #11 for the pre-Application meeting with the Pennsylvania Department of Environmental Protection (PADP) and the United States Army Corps of Engineers (USACE).

Mr. Grenier asked about the turn-around time, and Mr. DeFiore stated the timeline assumes two rounds of submissions to the agencies and comments. He stated we are in the process of completing the Application and getting it ready to submit. He stated what is being shown is their best estimate, and the goal is always to get approved in the first submission. Mr. Grenier stated he hopes that what is being shown is a conservative estimate with regard to the time, and Mr. DeFiore agreed it is. Mr. DeFiore stated they are doing everything they can to get it approved in the initial round, and this is the reason for the pre-Application meeting.

#### MANAGER'S REPORT

##### Approval of an Ordinance Relating to the Registration and Maintenance of Vacant and/or Foreclosed Properties

Mr. Kratzer stated this has been a topic of conversation at prior meetings, and the Ordinance as drafted establishes a Registry, inspection, and registration requirements for both vacant and foreclosed properties. He stated it also establishes maintenance requirements and standards for vacant and foreclosed properties and security requirements in terms

of making sure that the properties are secured in an appropriate manner to discourage access by unauthorized persons. He stated the Ordinance has been duly advertised.

Ms. Blundi moved and Mr. Grenier seconded to approve the Ordinance related to the registration and maintenance of vacant and/or foreclosed properties.

Mr. Lewis stated he understands that this has a Fee Schedule associated with it that will be added to our normal Fee Schedule. Mr. Kratzer stated as it relates to the Registration Fee which is a semi-annual Registration, there is an existing Fee in the Fee Schedule which is \$600 per Registration. He stated there are additional Amendments to the Fee Schedule which will be necessary. He stated one of the provisions related to securing the property has to do with the boarding of windows and doors, and there needs to be a Fee established for boarding. He stated the Board had discussed that this would encourage progress in terms of addressing the condition of a property and try to incentivize restoration of the property so that it is not in a prolonged state of boarding. He stated it also establishes standards related to boarding consistent with the International Property Maintenance Code. He stated at the next Board meeting there will be an Amendment to the Fee Schedule to incorporate the Boarding Fee, but as it relates to the Registration Fee that is already incorporated into the existing Fee Schedule.

Mr. Lewis stated he strongly supports this as it is vital to give our Code Enforcement team the tools they need to be successful. He stated we have had a few properties in the Township that this relates to although it is a smaller issue than in other Municipalities. He stated Ordinances like these can make a profound, positive difference in making sure that neighbors do not have to worry about homes that are vacant, boarded up, or cause significant issues.

Motion carried unanimously.

Approve Professional Services Agreement with HERA Property Registry, LLC for Property Registration Services for Vacant and/or Foreclosed Properties

Mr. Kratzer stated the Ordinance just adopted establishes a Registration requirement and a Registry of properties that are subject to Registration.

Mr. Kratzer stated Kevin Sidella from HERA is present to discuss the basic terms of the Professional Services Agreement, and he can also speak as to his opinion of the importance of the Ordinance that was just adopted.

Mr. Sidella commended the Board for considering this as he knows that this is something that the Township has been talking about for some time. He stated his company will manage this. He stated while they are based in Florida, they are doing this in sixty Municipalities Nationwide, many of them in Pennsylvania. He stated he has provided an information packet to the Board which includes all of the communities that they are working with, the closest one being Yardley. He stated they have been doing this for two years, and he personally has sold these programs for over a decade to Municipalities in thirteen States. He stated he has seen the profound impact that they can have. He stated the economy is cyclical, and what is being put in place will protect the Township in the bad times. He stated this is something that the Code Enforcement Officers can utilize to make sure that the properties are maintained at a bare minimum.

Mr. Sidella stated his company will proactively go out and seek Registration particularly on the foreclosures. He stated vacancies are a harder task. He stated he sees this as a partnership in that they will never send the Township a bill; and they keep a portion of the Fees which is how they make money. He stated their price for Registration is \$125. He stated they will get 90% to 100% of foreclosures. He stated they look for help from the Township with regard to vacancies. He stated they do their work from a call center in Florida, and they are not walking the streets of Lower Makefield, so they do need the Township's help with regard to the vacant, privately-held properties.

Mr. Lewis stated he understands that HERA only gets paid when we get paid, and it is a portion of our Fee which helps with the Registration and tracking. He stated he understands HERA will be able to get us properties as soon as the bank puts them into foreclosure. He asked if they will then get those to our Code Enforcement people. Mr. Sidella stated his company will build a data base for the Township that includes all of the parcels that exist in Lower Makefield Township. He stated as his company sees them come through the County as foreclosed, they will reach out to the foreclosing entity, show them the Ordinance, and advise them what they need to do to comply with the Ordinance. He stated at that point, his firm keeps

the \$125 once they pay the Fee, and the rest is remitted to the Township every thirty days. He stated Mr. Kratzer will receive a full report of everything, and it is also available for the Township's inspection in real time.

Mr. Kratzer stated one of the benefits of having the Registration and the data base is that to the extent that there is a Property Maintenance Code issue on a property, it is challenging for the staff to find the appropriate contact. He stated the Ordinance which has been adopted establishes that there is certain information that needs to be placed in the HERA data base, and that would permit us to respond to those Property Maintenance Code concerns. He stated this is a tool for our staff to be able to better address issues as issues present.

Mr. Grenier asked how someone would go about challenging an addition to the list if they had a reason to do so. Mr. Sidella stated on the foreclosure there would not be an issue; and if a foreclosure action is filed, there would not be much of a dispute. He stated with regard to the vacant property side that can be a gray area. He stated they are not after "snow birds," as that is not the intent. He stated there are cases where the vacant properties do not have a living owner. He stated if there is an objection to seeking Registration, there is the ability to communicate with HERA. Mr. Sidella stated they would communicate with the Township on anything like that, and they will not register a particular property if the Township tells them they do not want that.

Mr. Lewis stated this will help lessen the load on the Code Enforcement staff as there is a lot of follow up when they find out who the owner is. He stated if we get a head start on these properties that go into foreclosure, it should potentially save time.

Mr. Grenier moved and Mr. McCartney seconded to approve the Professional Services Agreement with HERA Property Registry, LLC for property registration services for vacant and/or foreclosed properties.

Mr. Zachary Rubin, 1661 Covington Road, stated he is the President of the Aspen Woods Condominium Association. He stated they had a bank foreclosure two years ago, and the occupant is still there after two years. He stated the Condo Association maintains the exterior of that property. He asked about properties that have been foreclosed that are not vacant. Mr. Sidella stated when they seek Registration, they want the foreclosing entity to tell them whether or not it is vacant. He stated sometimes you would never know that

there is a foreclosure; and the action is filed, but someone is still living there, and they are trying to work it out. He stated we still want them to pay the Registration Fee and provide them with a property manager. He stated what they find with a lot of these foreclosures is that when they do decide to leave the property, they do not call the Township, and they just leave; and then it becomes the Township or the Homeowners' Association to maintain. He stated despite the fact that they are still living there, they still want to get the property Registered.

Motion carried unanimously.

Approve Authorizing the Re-Advertisement of an Ordinance to Amend the Definition of the Term "Open Space" in the Subdivision and Land Development and Zoning Ordinances

Mr. Kratzer stated the Board discussed this previously, and the matter was Tabled. It was reviewed by the Park & Recreation Board, and the Board of Supervisors was advised of their recommendation with regard to the change.

Mr. Grenier moved, and Mr. Ross seconded to authorize the re-advertisement of the Ordinance to amend the definition of the term "open space" in the Subdivision and Land Development and Zoning Ordinances.

Ms. Blundi stated the Park & Recreation Board was opposed to this change, and Mr. Kratzer agreed that they opposed the inclusion of athlete fields which was the subject which the Board of Supervisors was debating at the prior meeting when the matter was Tabled.

There was no one wishing to make public comment at this time.

Motion carried with Ms. Blundi and Mr. McCartney opposed.

Discussion of an Ordinance Regulating Certain Special Events in the Township

Mr. Kratzer stated the Board discussed this previously and the Board had authorized advertisement. The Ordinance has been duly advertised.

Mr. Grenier moved and Mr. Ross seconded to approve an Ordinance regulating certain special events in the Township.



Mr. Grenier asked if we received any comments during the Public Comment period, and Mr. Kratzer stated we did not.

Mr. Lewis stated Presidential candidates have come to Lower Makefield and left us with bills. He asked Chief Coluzzi if any of them have paid over the years, and Chief Coluzzi stated they have not.

Public Comment on Approval of Authorizing the Re-Advertisement of an Ordinance to Amend the Definition of the Term “Open Space” in the Subdivision and Land Development and Zoning Ordinances

Mr. Michael Brody, 509 Brookbend Court, stated he was on old waiting to speak to the above matter when it was discussed. He stated the reason the Park & Rec Board voted not to recommend this being approved was that we continue to pay people to come in and do evaluations on whether or not we need more park space; and each time that we have done that, we continue to be told that we do need more park space. He stated he is very disappointed that he was not able to speak earlier, and he appreciates the two Supervisors who voted against this. He stated we continue to be told that we need more park space and the Board is now approving something that will potentially limit our ability to get more park space. He stated he understands that we get Fee-In-Lieu of Recreation from most of the developers. He stated the Park & Rec Board was not in favor of “paved things” since those would eventually require re-paving. He stated he does not understand why we continue to pay money for studies if we ignore what they tell us.

Mr. Lewis stated part of the reason athletic fields was included was to insure that we do not have “double-dipping,” where a developer claims that things they are doing for Parks and Recreation count as open space. He stated this is asking for both open space and park and recreation, which traditionally has been Fee-In-Lieu. He stated developers have not been active in suggesting that they would use a portion of their land for active recreation items. He stated he believes that is something that the Park and Recreation Board should be pushing so that when development opportunities exist, that we consider getting land instead of Fee-In-Lieu. He stated he believes that the Board of Supervisors “would take that up as it comes on.”

Ms. Blundi stated she feels that the phrase “double-dipping” categorizes the conversation incorrectly. She stated she believes even the intent is not accurately reflected in the language. She stated when a new development

comes in the developer has the right to build and Dedicate park space or pay Fee-In-Lieu of money; and they usually use that option. She stated she believes that Spruce Mill may have been the last time that a developer chose to Dedicate an athletic field. Ms. Blundi stated now the developers have an obligation under an Ordinance that the Board just created; and while no one has been subject to it yet, the developers are required to leave some land undeveloped. Ms. Blundi stated while they will be able to build the same number of houses, they are going to have to shrink down their lots so that there is more space available. Ms. Blundi stated what this change will do is say that none of that space can be athletic fields. She stated that is why she, the caller, and Park & Rec are against it because we keep being told that we need more fields, and we do not know what the future will bring. Ms. Blundi stated if the Board of Supervisors decides that is not what we want to do on a project before us, that is how we should vote; however, she feels it is inappropriate to bind future Boards.

Vote on Approval of an Ordinance Regulating Certain Special Events in the Township

Motion carried unanimously.

Approval of an Animal Control Services Agreement

Mr. Kratzer stated this will meet our Statutory obligations under the Pennsylvania Dog Law and related Statutes. He stated it established mandatory credentials for the Contractor, outlines required services, reporting requirements, and other obligations. He stated it also establishes issues related to insurance, equipment, payment terms, and provides for additional optional services that the Township may elect in the event that the ACO is qualified in those respective areas. He stated it also deals with notification related to absences when the ACO is unavailable to respond to any circumstance that may require his or her service.

Ms. Blundi moved, and Mr. Grenier seconded to approve the Animal Control Services Agreement.

Mr. Lewis asked if this will have an impact on the Budget, and Mr. Kratzer stated it is generally consistent with the adopted Budget. Mr. Grenier asked if this service was put out for an RFP, and Mr. Kratzer stated it was not as part of this process. Mr. Kratzer stated he does not know if the Township has historically engaged in an RFP process for this service.

Motion carried unanimously.

Approve Authorizing the Advertisement of Ordinances to Amend the Township's Stormwater Management Ordinances

Mr. Kratzer stated the Township engaged HRG, a consulting engineering firm, to amend the Stormwater Management Ordinance. He stated that process has begun; and as a result of starting that process there are some targeted changes that can be made in relatively short order as we are going through a more comprehensive update to the Township's Stormwater Management Ordinance. He stated Mr. Jonathan Robinson from HRG is present to answer questions. He stated he has been before both the Planning Commission and the Environmental Advisory Council to review these changes.

Mr. Robinson stated he is a Civil Engineer with HRG, and he is working with the Township to revise the Stormwater Management Ordinance. He stated they are taking a two-phased approach to these Ordinance revisions. He stated the first phase will address quick and easy fixes to the Ordinance to improve the regulatory authority of the Township. He stated the second phase will be a comprehensive review, and they will provide their full recommendations later this year.

Mr. Robinson stated there are two components with regard to the changes within Phase 1, and the first is increasing the stormwater volume control requirements within the Township. He stated HRG has proposed to increase the rainfall amount that should be captured on site by stormwater facilities; and on top of increasing that rainfall amount, they are proposing to add an additional percentage on top of that. He stated the reason is that it should reduce localized flooding, will increase the amount of stormwater that should be infiltrated on site, and through increased infiltration, it will also increase the water quality.

Mr. Robinson stated the second key component is reducing the rate or speed of stormwater leaving the site; and by doing this, it will hopefully decrease erosion of stormwater leaving the site as well as reduce flooding.

Mr. Robinson stated there is a recommended amendment to the Ordinance which is before the Board which is in Section 174-16.A.2. He stated originally HRG recommended to increase the percentage of existing impervious area that is considered meadow during the calculations for stormwater management, and HRG had proposed an increase to 40% which is two times the existing regulation; however, through discussion with the EAC and the Planning Commission, they recommended to increase that to 50%, and HRG has no objections to that change. He stated they have seen that provision in other Ordinances in other Townships as well.

Mr. Kratzer stated the Stormwater Ordinance is broken up currently into two Chapters in the Township's Code of Ordinances, and he stated that same corresponding Section is 173-16.2 in the other version. Mr. Lewis stated there is one for Neshaminy and one for the Delaware Valley. He stated there are two separate Ordinances; and Mr. Robinson agreed adding that those two separate Ordinances have very similar provisions within each one of them, and these changes will be reflected within both Ordinances. Mr. Kratzer stated the Board will therefore be considering the advertisement of two Ordinances to amend the Township's Stormwater Management.

Mr. Grenier moved to advertise the Ordinances as described for both the Delaware River and Neshaminy Watershed including the Amendments recommended by HRG.

There was no Second to the Motion.

Ms. Blundi stated she understands that HRG are experts in this area, and they had recommended a certain percentage; but the EAC and Planning recommended something else. She asked Mr. Robinson to elaborate on their thinking as she is not familiar with their credentials. Mr. Robinson stated this requirement is mainly related toward re-development sites, and only applies to existing impervious areas that are on site. He stated if there was a site with 10,000 square feet of impervious area, in doing the stormwater calculations for pre-development, you would assume that half of that impervious or 5,000 is meadow which means in the post-development calculations you would then have to capture

stormwater for that 5,000 square feet that you assumed was meadow. He stated it is mainly a policy decision as to how much stormwater you would like to capture in the post-development conditions from the re-development sites. He stated it puts more burden on the developer to capture more stormwater from existing impervious area that may not have been regulated by a Stormwater Ordinance that was in a development from the 50's, 60's or 70's. He stated HRG has no objection technically to increasing the 40% to 50%; and if the Township would like to increase it even further, we could discuss that.

Ms. Blundi asked what is meant by re-development. Mr. Robinson stated re-development is defined in the Ordinance; and while he does not have that before him, it is typically sites where there is an existing house with a certain amount of square footage of impervious area, and they may knock it down and build impervious surface on top of that. Ms. Blundi asked the current standard on re-development without the amendment being proposed; and Mr. Robinson stated it is 20%. Ms. Blundi stated HRG recommended 40%, and now it is being recommended to be 50%. Ms. Blundi asked the standard for new development, and Mr. Robinson stated it is 20%. Ms. Blundi stated someone who is re-developing would be required to provide 50%, but someone with a new development would only be required to provide 20%; and Mr. Robinson agreed. He stated the purpose behind increasing the requirement for re-development sites is because they are sites that do not have existing stormwater management controls on site. He stated they are making them catch up to existing requirements. He stated with a new development there would be volume controls and rate controls for the entirety of the site but a re-development site they may not have any stormwater controls. He stated they feel it is "fair to have them pitch in" some for stormwater control regulations; and by increasing that requirement, they believe the re-development would be doing their fair share.

Mr. DeFiore stated RVE did a review of the Ordinance, and they also supplied comments. Mr. Robinson stated they did review them; and those that they believe could be "quick hitters" have been included, and the other comments will be reviewed and potentially included in the further revisions in Phase 2.

Mr. Kratzer stated the definition of re-development is in the existing Stormwater Ordinance, and it is any development that requires demolition or removal of existing structures and impervious surfaces at a site and replacement with new impervious surfaces. Maintenance activities such as top-layer grinding and re-paving are not considered to be re-development. He stated interior remodeling projects and tenant improvements are also not considered to be re-development. Utility trenches in streets are not considered as re-development unless more than 50% of the street width including shoulders is being removed and repaved.

Ms. Blundi stated if someone's house burned down, and they wanted to re-develop it, when it was built they had 20%, and we are going to push them to 50%. Mr. Kratzer stated if it were built at 20%, it may not have required anything. Mr. Grenier stated it would depend if they were going over the allotted impervious area for the site. Ms. Blundi stated they would be only going over because it is going to 50%.

Mr. Grenier stated he believes what is being talked about is two different things. He stated depending on what year a home was built, the impervious surface permitted would be one thing, and this is for re-development. He stated most of the time it is a lot of impervious area that has never been subject to stormwater regulations. He stated there could be a large parking lot that was built in the 1960's. Ms. Blundi stated it could also be someone's house. Mr. Grenier stated if a 5-acre parking lot was built in the 1960's, all of the stormwater would run off into the road; and if it is part of a re-development project, it would now be subject to more stormwater management. He stated in those cases, he feels that it should be 100% because they were never subject to stormwater management; and the natural condition was ignored and there is more stormwater running off of that pavement than you would have in a natural condition or if it was a "green-field development now," it would be responsible for 100% to address stormwater management potential impacts to the neighbors and our watershed. He stated he feels 50% is reasonable and allows for us to better manage stormwater in the Township moving forward especially for the larger, potential re-development sites. He stated while we are not aware of a lot of re-development coming, this sets us up to address it when it does come.

Ms. Blundi asked if it would make sense to make a distinction in the Ordinance between Commercial and Residential re-development. She stated she is concerned that we hired an entity that is known for

this and they made a recommendation, but now it is proposed to be revised. Mr. Robinson stated their recommendation was to increase the percentage; but he believes what that percentage is would be a policy decision driven by Township wishes and desires, and they would adjust accordingly.

Mr. Lewis stated this is to protect the Township between the time this is approved and before comprehensive reform. He stated he feels it would be helpful to take this first step given.

Mr. Grenier again moved to advertise the Ordinances as described for both the Delaware River and Neshaminy Watersheds including the Amendments recommended by HRG. Mr. Lewis seconded.

Mr. Grenier stated with regard to the rate applicability/regulated activities under 174-5 it states: “regulated activities include but are not limited to Land Development Subdivisions, prohibited or polluted discharges, alteration of natural hydrologic regime, construction or re-construction or addition of new impervious and semi-impervious surfaces except for reconstruction of roads, and construction of new buildings or additions, re-development, diversion, piping, and non-structural;” and then there are some exemptions. Regulated activities that create impervious surfaces smaller than or equal to 1,000 square feet are exempt from the peak-rate control requirements and regulated activities that create impervious surfaces between 1,001 up to and including 5,000 square feet are exempt only from the peak-rate control requirements of the Township. Mr. Grenier stated there are no recommended changes to the applicability of that, and Mr. Robinson agreed.

Mr. Grenier asked since we know that, if there were a house fire, when they apply for Building Permits, would they have to do stormwater management. Mr. Truelove stated it indicates under 5 except for re-construction of roads, the key is “where there is no increase in impervious surface.” Mr. Kratzer stated if someone were to replace it in kind with no increase in impervious surface, it would not be within the definition of a regulated activity.

Mr. Grenier stated the way our Ordinances are written depending on “where you are” there is a certain impervious surface cap; and if you stay under that, you do not have to go before the Zoning Hearing Board for a Variance. He asked if there is a gap in our Ordinances between

when this applies and when you need a Zoning Variance. Mr. Truelove stated he has never seen it before in terms of a Variance request versus this; and he would not want to provide a response that is not accurate.

Mr. Robinson stated along with the definition of re-development and the concern being expressed, they would be happy to look into that in Phase 2 of the Ordinance revisions to better define in that scenario what may happen; and they could write provisions like that into the Ordinance. Mr. Grenier stated he thinks we need to.

Mr. Kratzer stated Mr. Majewski advised that re-building a house after a house fire would not count if it was re-built in a similar footprint. Mr. Grenier stated if they wanted to double the size of the house or put in a significant addition, then it could implicate it; although he feels they would probably go to the Zoning Hearing Board because there would be Variance issues.

Ms. Blundi stated the Zoning Hearing Board would then have to hold them to the 50% where the rest of the neighborhood is held to 20%. Ms. Blundi stated she appreciates that there are houses in the Township that did not have any of this accounted for when they were built and that we need to be more aggressive, but she is confused why we hired an expert who said 40% and now we are going to 50%. Mr. Grenier stated he believes what we heard was from an engineering perspective that 50% is an acceptable change that is "okay." Ms. Blundi stated she is concerned about the process, and she does not like learning about things this way; but more than that, they are the experts, and Mr. Robinson presented what they felt was the best practice and now we are being told that Planning and EAC offered verbal input at 50%. She stated she does not feel like this is the correct process or the correct output.

Mr. Grenier asked Mr. Robinson if he had any push-back against either group when asked about 50% versus 40%, and Mr. Robinson stated he did not. He stated he believes that increasing the percentage is key to have developers who are coming in to do re-development to "pitch in" in stormwater management, but he believes it is a policy decision for the Township as to how much they would like to see.

Mr. DeFiore asked Mr. Robinson if he has had the opportunity to review the draft revised BMP Manual from DEP, and does he know what they recommend. Mr. Robinson stated they have reviewed it, and they still recommend the 20% per Chapter 102 and NPDES Permitting requirements.



Mr. Robinson added that he still believes that it is important for the re-development sites to pitch in with stormwater management requirements. Mr. DeFiore stated that will help with additional control and help manage the flooding that we saw, and Mr. Robinson agreed.

Mr. Kratzer asked Mr. Robinson to discuss the benefit of the proposed changes as it relates to new development activity, greenfield development, and development that may not be submitted yet, but pending submission, to understand the reason why it is important to be targeted initially and why we are doing it this way. Mr. Robinson stated while a lot of the discussion tonight has been about the re-development change in the Ordinance, there are also changes that would effect greenfield development including the volume control changes within the Ordinance. He stated we are proposing to increase the storm volume for the two-year storm, and this aligns with PADEP's new draft PCSM Manual. He stated their recommendations have been included in this Ordinance for the rainfall amount and on top of that, adding in an additional 20% volume control requirements. He stated he believes that this will help reduce localized flooding for the re-development sites and increase infiltration and the water quality of stormwater leaving the site. Mr. Robinson stated there has also been talk with the new MS4 Permit cycle that it may change to a more volume-based approach, and this could also help with those MS4 requirements as well.

Mr. Robinson stated the other requirement that would pitch into the greenfield development is with the rate control changes adding a reduction in the amount of stormwater leaving the site and how fast it leaves the site.

Mr. DeFiore stated if anyone uses the rational method, his office has commented to use DeKalb which is closer to the SCS method; and he asked if that is something that they are considering. Mr. Robinson stated that is something they will consider in Phase 2. He stated HRG needs to do some more research into that, and also wants to look at the rational equation in general to see if they feel it will be viable moving forward. Mr. DeFiore stated there is the standard rational versus SCS and there are limitations where you can use one versus the other; but if someone used the standard rational, it is about 1/10<sup>th</sup> in volume required to retain versus SCS. Mr. Robinson stated the volume control section specifically states that you should only utilize the design storm method, and it does not state that the rational method is an approved method for calculating volume controls.

Mr. DeFiore stated in terms of sizing the basin, he noted 174-16.1 lists the rational method, and his office commented that with DeKalb there is much more volume so that the basins would have to be bigger which would help with flood control.

Mr. DeFiore stated with regard to basins, he had seen some time ago that for any airport or air field basins should be underground as opposed to above ground would help with attracting water fowl and airplane failure.

Mr. Grenier asked if there are any recommendations for the “third leg of stormwater quality;” and Mr. Robinson stated they believe that the water quality component will be increased with the increased volume control, and specifically the Ordinance does not have any clear-cut guidance on how quality should be managed, but that will be something that is considered in the second Phase.

Mr. Grenier stated he feels that these are “stop-gap methods” which are quick improvements that we can make for potentially pending developments so that we do not miss it in the whole process of overall improving the Ordinance, and Mr. Robinson agreed. Mr. Grenier stated we will touch more on quality including rain gardens, which were discussed at one point; and those would be more in the quality component, but right now we are more focused on rate and volume, and Mr. Robinson agreed.

Mr. Lewis asked Mr. Robinson to summarize what we are doing in terms of volume and rate control so that a lay person could understand what is happening. Mr. Robinson stated currently whenever you put in a new development site, there will be an increased amount of impervious area; and what impervious area does is increase the amount of rainfall that leaves the site because it is not able to infiltrate into the ground. He stated in new developments there are regulations to provide controls for the stormwater management to capture a certain amount of that stormwater “as in depth of volume component,” so you hold it and retain it on site; and there is the rate-control requirement where inevitably stormwater will have to leave the site and you control the amount of stormwater leaving the site at the same rate/same speed as it does in natural conditions. He stated what we are trying to do is increase the amount of stormwater that is held on site through the volume controls, and we also want to reduce how fast it is leaving the site with the rate controls. He stated these go above and beyond State regulations. He stated he believes that these will help improve water quality, reduce erosion, and reduce flooding.

Mr. Lewis stated there are stormwater management features in many of the neighborhoods in Lower Makefield; and when there are intense rainstorms they fill up to hold the water on site and then over time, they discharge out. He stated we are trying to provide more storage and slower discharges. Mr. Lewis stated we have increased the requirements based on what we think potential rainfall is; and we have gone through some “shock events,” and we want to make sure that those are correctly accounted for.

Mr. McCartney stated he understands that the DEP recommendation is 20%, the initial analysis was for 40%, and now it is up to 50%. Mr. McCartney asked Mr. Robinson if there are other Municipalities where he has gotten it to that high of a percentage. Mr. Robinson stated they have; and he noted Silver Springs Township’s Ordinance in Cumberland County, and they have the 50% provision in their Ordinance. Mr. McCartney asked if there is anything in Lower Bucks County, but Mr. McCartney stated he personally has not worked on any Ordinances in Lower Bucks County with that same provision. Mr. McCartney asked if Silver Springs had similar type of catastrophic events like we witnessed here in the last eighteen to twenty-four months. Mr. Robinson stated they were not the same caliber that Lower Makefield witnessed, but they have had significant rainfall events that caused flooding damage.

Mr. McCartney asked Mr. Robinson if he saw any kind of dip in Applications for any type of land use or development in Silver Springs; and Mr. Robinson stated they did not, and they are still one of the fastest growing Municipalities in all of Pennsylvania. Mr. McCartney asked how they are adhering to the 50%. Mr. Robinson stated the Lower Makefield Ordinance currently has two provisions to address re-development; and there is the component to capture 50% of existing impervious surface as meadow, and there is also the provision to reduce impervious area. He stated a developer could either reduce impervious area on site or, if they want to have their full site still be impervious, they would have to use either an underground BMP or somehow find green space on their lot to provide the stormwater management control.

Mr. McCartney asked if Silver Springs in Cumberland County also recently passed an Ordinance regarding the definition of open space versus recreational space for development, and Mr. Robinson stated he is unaware on that front. Mr. McCartney stated he is concerned about putting a number of Ordinances out for development at the same time which may impact the kind of development that we get. Mr. McCartney stated tonight we have already passed one

major Ordinance defining open space, and we are now considering passing another, which he is okay with; however, now we are going to 50% versus the recommendation of 40%. He stated while he is okay with it because he understands the situation, he wants to make sure that we are not “handcuffing” further development.

Mr. Lewis stated he does not know that anyone has stopped development in Lower Makefield. He stated he believes that we are down to under 800 undeveloped acres, so that there is not a lot left. He stated as we get fewer developable acres, each decision becomes increasingly more complex because we are in essence solving some prior issues. He stated previous Boards did not have Best Management Practices around stormwater because they “did not know.” He stated we have not had a situation where developers have left, and developers still want to come here. Mr. Lewis stated he would prefer not to spend a lot of money fixing situations post large floods, and he would rather prevent those. He stated some of the members of the EAC are engineers and scientists, and he believes that they reviewed this and their opinion was to push further. Mr. Lewis stated if some Board members are uncomfortable with that of if that will slow our process in trying to get something started now, he would be willing to work with the Board to get something that the Board feels comfortable with today. He stated there have been discussions by the Board about development and the challenges in a post-July 15<sup>th</sup> era. Mr. Lewis stated he would like to keep this moving forward.

Mr. McCartney stated he is not pro-developer, but developers have margins, and these will be additional costs that the developers will entail; and what he does not want is for them to cut corners on other things like quality of construction of homes, etc. Mr. Lewis stated not all of the developers in Lower Makefield abide by all of our Laws or pay us on time, and sometimes we have the ability before Use and Occupancy or when doing inspections to make sure that we are doing those things. He stated we need to be aggressive about it; and similarly with stormwater management, pushing harder now which he feels is appropriate. He stated Best Management Practices related to stormwater management were not known forty to fifty years ago, and they did not anticipate “climate shock events” as well as general global climate change; so in that respect we have to adjust.

Mr. Lewis stated he wants to make sure that we are not forcing developers to do things from a cost-savings standpoint that will have long-term effects on homeowners. He stated there was an issue with stucco remediation due

to what was used by a certain developer in the 1990's which cost people hundreds of thousands of dollars to remediate, and he wants to avoid that. He stated builders are there to make money, and we want to make sure that we are working with them to make sure that their margins are at a point where they are not cutting corners in other areas. He stated on a re-sale, the Township would not know if they meet the Code.

Mr. Truelove stated there was discussion previously about the Pending Ordinance Doctrine, but we do not have a pending Ordinance if we do not have one that has at least been properly advertised and ready for consideration. He stated whatever is advertised is not necessarily what will be the final version.

Mr. Kratzer stated if the Board is not comfortable going to 50%, this could be re-evaluated within the context of the overall comprehensive Amendment. He stated as proposed this is a dramatic improvement to the existing standard. He stressed the importance of not missing an opportunity as it relates to making these improvements.

Mr. Ross stated he would like to move this forward so if everyone agrees to keep it at 40%, he would be in favor of that.

Mr. Grenier stated with regard to 40% versus 50%, there is nothing wrong with 50% because developers are still "getting away with not doing half providing stormwater management for half of their impervious area." He stated especially for a Commercial area, that is a huge area. He stated we are comparing this to Pennsylvania regulations and not regulations throughout the Country which are much more onerous from the developer's perspective. He stated in New Jersey, their regulations are ten times harder; and there is still a lot of development going on there. Mr. Grenier stated with respect to re-sale, "this is only for outside, and it does not affect the homes themselves, and it is outside" and managing stormwater and potential downstream impacts. Mr. Grenier stated it also helps us with our Pollution Reduction Plan. He stated we are incurring hundreds of thousands of dollars in cost to the taxpayers to address our Pollution-Reduction Plan. He stated Ordinances like this help us to reduce that because they collect the water and treat the water. He stated if we do this now as part of this Ordinance, the developer will cover it up front as opposed to the residents having to cover it later because we will not be meeting the requirements of the MS4 PRP.

Mr. McCartney stated his concern is that the developers will take other short cuts. He stated with regard to new construction in New Jersey, he has been in hundreds of homes in New Jersey and the quality of construction is less than desired. He stated the reason that developers are going to that type of building is because their margins are thinner and thinner based on more and more regulations. He stated there is a balance which we need to consider. He stated where the ShopRite is in the Township, “we were not good to the developer and they gave us quite a parking lot.” Mr. McCartney stated he is equally concerned about the quality of the build as he is about the water mitigation.

Mr. Truelove stated he believes that it would be more of a substitutive change to go from 40% to 50% than it would be to go from 50% to 40%. He stated if they were to advertise for 50%, and decided to change it to 40%, he does not feel that would require re-advertisement; however, if they advertised it for 40% and then went to 50%, he feels that would be more of an issue.

Mr. DeFiore asked going from 40% to 50% existing impervious to meadow, what kind of percentage increase in basin would a builder have to do. Mr. Robinson stated he feels the biggest requirement that would increase the amount of BMPs would be the volume control requirement, increasing that volume control by 20%. Mr. DeFiore asked if the basin size would increase by about 20% going from 40% to 50%, and Mr. Robinson stated the BMP amount or size depending on how it is enforced in the Township whether to utilize green infrastructure or low-impact development would depend on what kind BMPs are utilized in the size of it.

Mr. Lewis asked Mr. Grenier, who was the maker of the Motion, if he would be willing to change from 50% to 40%; but Mr. Grenier asked that they take a vote on 50%, and should that fail, take a vote on 40%. Mr. Grenier stated he would be in favor of staying with 50% because he feels it provides a greater benefit to the Township, and the engineer that was hired seems to be in agreement with that.

Mr. Lewis stated since this will be a multi-month process, he would like the Board members to think where we are at on the continuum. He stated there are some policy things that New Jersey does well and in contrast California has some very restrictive policies around development that causes them issues. He stated he feels that there is a

continuum in between where we need to be based on the geography we have, the challenges we have with our specific environment, and the rainstorms that we are getting, and we need to find what that is.

Motion with the 50% provision did not carry as Mr. Grenier and Mr. Lewis were in favor, and Ms. Blundi, Mr. McCartney, and Mr. Ross were opposed.

Mr. Lewis moved and Ms. Blundi seconded to approve the proposal as is and remove the 50% provision and move it to 40%. Motion carried with Mr. Grenier opposed.

#### SOLICITOR'S REPORT

##### Discussion and Motion on Direction to the Township Solicitor with Regard to Gap Analysis Memorandum on LGBTQ+ Inclusive Local Non-Discrimination Ordinance

Mr. Truelove stated there was prior Board discussion regarding a gap analysis about the LGBTQ+ Inclusive Local Non-Discrimination Ordinance that may be considered. He stated his office provided a memo to the Board on this matter. He stated the areas being discussed are employment, housing, and public accommodation. He stated different Laws impact those different areas in different ways. He stated with regard to employment, the Federal Jurisdiction (Title VII) is for companies with fifteen employees and up. He stated State Law which, is under the Pennsylvania Human Relations Act, is for companies with four employees and up. He stated any employer with fewer than four employees would not be subject to either of those Laws so that is one place where there is a gap.

Mr. Truelove stated with regard to house accommodation, they believe that there is a gap and they also want to make sure that public accommodations is addressed.

Mr. Truelove stated in talking about the gap, they are talking about the LGBTQ+ community, because there is significant Case Law that came down in the past seven to ten years some which affirmed LGBTQ+ rights such as same-sex marriage and others where there have been some challenges on a religious basis to back off on that. He stated at the Federal level, there is primarily a presumptive right to have those characteristics guaranteed and protected, although there are challenges from time to time, but they have to be balanced under certain factual circumstances.

Mr. Truelove stated State Law is not as clear. He stated the Pennsylvania Human Relations Commission (PHRC) enacted regulations in the last few years which affirmed the status of LGBTQ+ as protected per their program; however, that has not yet been supported by a Case at the State Supreme Court level or legislation that affirmatively states that is the protected class. He stated while it is a step in that direction, the State Law is not as strong or as clear as the Federal Law in that area.

Mr. Truelove stated if the Board wants to take a step in that direction, they would have to consider what they would want to do. He stated there are Ordinances on the books that could be reviewed including those in Yardley Borough, Middletown Township, Doylestown Borough, Langhorne Borough, and Newtown Borough. Mr. Truelove stated none of them are identical. He stated he feels the best approach, if the Board chooses to go in that direction, would be to have an Ordinance that would make discrimination in those areas unlawful; but the primary purpose would be to educate and to refer any violations seen to another agency such as the PHRC or something similar.

Mr. Truelove stated the Board needs to consider how far they want to go; and if they want an enforcement mechanism in the Township which would require staffing, funds, and dedication of volunteers willing to be trained. He added that before going in that direction, the Board may want to invite people from the PHRC and the County Human Relations Commission; and there could be a presentation made to the Board of Supervisors about how their programs work and how they work with local entities such as one that might be contemplated here.

Mr. Kratzer stated while they have not gotten back to him, he did reach out to the PHRC about doing an informational session before the Board of Supervisors. Mr. Truelove stated like many agencies, the PHRC is under-staffed, but we should continue to reach out to them. Mr. Trueloves stated he has had cases representing primarily employers where it has taken years for cases to go through the system. Mr. Truelove stated there is a local resident who is on the County Commission, and he feels he would be happy to make a presentation to the Board of Supervisors.

Ms. Blundi thanked Mr. Kratzer for following up on the direction given at the last meeting about reaching out to the PHRC. She stated the other step we were going to take immediately was to put the resources that are available



on the Township Website so that if people in the community are looking for resources that they can go to, we can provide that. Mr. Kratzer stated while that has not yet been done, he will follow up on that.

Mr. Lewis stated there are seventy-one Municipalities in Pennsylvania that have such an Ordinance. He stated one gap that the memo did not discuss is one that some Municipalities do address which is the “reprehensible practice of conversion therapy.” He stated many Municipalities have sought to ban that. He stated it is not a valid psychological method of helping. Mr. Truelove stated it is not recognized in the DSM. Mr. Lewis asked if that is included in any of the local Ordinances, and Mr. Truelove stated he believes that Yardley Borough and Doylestown Borough prohibit conversion therapy. He stated others address it but they may not go far as prohibition.

Mr. McCartney asked for an explanation of conversion therapy, and Mr. Truelove stated that some people who have gay and/or transgender children have engaged “professionals” to try to convert them to “straight/non-gay.” He stated that market has been promoted by some Governments in other parts of the Country.

Ms. Blundi stated one of her concerns was she wanted to improve things but not accidentally make them worse by lessening protections that exist. She asked Mr. Truelove what the County is doing. Mr. Truelove stated the County has a Human Relations Council which is primarily a referral and resource organization.

Mr. McCartney asked Mr. Ross how this worked out in Yardley Borough. Mr. Ross stated they did a small gap analysis and then voted to draft an Ordinance which was then passed. Mr. Ross stated they have a Human Relations Commission which meets as needed, and he believes they have met two or three times since the implementation.

Mr. McCartney stated his concern is that this becomes ceremonial. He stated Mr. Truelove has already indicated that at the State and County levels it is very under-managed and under-manned. He asked what we will do as a Municipality to manage and man it. He asked if this is a ceremonial Ordinance to make people feel good that we have passed it and a moral Ordinance more than a functioning Ordinance that will actually protect people and get them the help that they need when they have these situations.

Mr. Ross stated in the Borough it is a functioning Ordinance; and if someone files a complaint, the Human Relations Committee meets, hears the complaint, and if there is anything that the Borough staff can do, they help or they can provide a referral for any service that they need. Mr. McCartney asked if it is specific to housing and employment, and Mr. Ross stated it is anything that is written in the Ordinance that would be a discrimination. Mr. Truelove read from portions of the Yardley Borough Ordinance which indicates it is to help enjoy the full benefits of citizenship and affords opportunities for employment, housing, and use of public accommodations, and have equal access to post-secondary educational institutions.

Mr. McCartney asked if someone would be able to use that as leverage in a Civil lawsuit if someone said something to them that they felt was discriminatory in some way. Mr. Truelove stated that just saying something “as abhorrent as that may be” is protected by the First Amendment; and it is whether they take steps in furtherance of that statement such as denying housing or encouraging others to deny housing or if someone wanted to take their child to a park and were harassed. Mr. McCartney stated housing is covered by Federal Law, and Mr. Truelove stated some is. He stated he does not believe that all private house sales would be covered by that. Mr. Truelove stated a lot of this has to do with the fact that there is a broad demographic difference in Pennsylvania.

Mr. McCartney asked if Board members would be in support of the Ordinance *but not include the language around an HRC; and it would just be a process through the Township Manager and the Police and then reporting the issue to the HRC at the County or State level.* Mr. McCartney stated his concern is with “bandwidth.” He stated we just hired someone to deal with our blighted properties because we do not have “bandwidth,” and he asked if this is not just adding responsibilities to the staff that we cannot handle. He stated he is concerned that by putting this Ordinance in place, we are giving people false hope that we are going to be able to handle these complaints

Mr. Grenier stated he feels an HRC would be similar to our other Advisory Boards and Commissions which have specific charters and are populated by residents with an interest in taking part and participating. He stated he feels that we have many people in our Township who have a keen interest in this and would be willing to sit on this Commission and get the necessary training if they do not have it already. He added he does not believe that it would be a burden to staff; but if we do not have a Commission, he feels it could be a burden to staff. He stated having a Commission would allow them to help process the issues rather than using staff resources, although

we hope that we would not need to use this very often. He stated the other reason for having this Commission is that it sends a message to those people who may need to utilize this resource at some point in the future that they have a place to go, that the Township is welcoming them, and that they are heard which goes a long way toward providing some level of comfort to those who may not feel welcomed otherwise. He stated he does not believe that it is ceremonial. He stated this provides them with a resources to have their issues heard and addressed. He stated at the Federal level, a lot of this is “pretty tenuous” because it is through Executive Order, and not through Legislation. He stated the next Administration may not keep “the same ones in order, and all of those protections go away.” He stated in the last few years, the Supreme Court has also changed things that were “accepted Law of the land.” Mr. Grenier stated he feels that while at the State and Federal level, they are making progress, they are not there yet.

Mr. Grenier stated some of the gaps relate to small businesses and Municipalities tend to have smaller businesses, so this is an area where we could support people who work for a small business to make sure that everyone is protected. He stated he feels this is like an HR Policy; and not having an HR Policy in place takes away protections from the employer and the employee.

Mr. McCartney asked how many employees the Township has, and Mr. Kratzer stated it is approximately 85. Mr. McCartney asked the last time our HR policy was updated, and Mr. Kratzer stated he believes it was in 1982. Mr. McCartney stated the irony of this is that we are looking to approve the Ordinance being discussed when our Township has almost 100 employees and we do not adhere to an HR Policy. Mr. Truelove stated the HR Policy is almost complete.

Mr. Grenier stated it was in 2019 when the Board passed a Resolution to move forward with an HR Policy and to send a message to our State and Federal legislators on this particular issue as well. He stated at that time, it was indicated that if the State and Federal legislators did not move forward in time, that we would move forward; and he feels that the time has passed to move forward with something.

Mr. Truelove stated it may be beneficial to invite Mr. Corrigan who is a Township resident and possibly others who are members of HRCs in Yardley Borough and other Municipalities to share their experience.

Mr. Grenier stated he is in favor of bringing in people to a meeting who could provide insight, ideas, and experiences; but he does not want to stall the process if those individuals are not able to attend a meeting for some time. Mr. Truelove stated he will ask Mr. Corrigan if he is available on April 17 to attend that meeting of the Board of Supervisors, and he will check with those in Yardley Borough to see when they might be available. Mr. McCartney stated he would be in favor of that.

Mr. Lewis stated the “express Ordinance provides a deterrent effect,” and it tells people that the types of behavior that we are talking about are not acceptable. He stated we struggle as a society not just with this but also with anti-Semitism and racism. He stated we need to make sure that we are “affirmatively placing deterrents out there much like those discussed earlier about people leaving properties vacant.” He stated there is a role for Municipal Ordinances and governing for that. Mr. Lewis stated he also feels it is very important how we present ourselves to the “broader rest of the World to attract new residents.” He stated there have been people who came before the Board many years ago and indicated that “their relative was going to move here, but they will not come here if there is not an Ordinance, and so we are losing out on people who would make a great difference in our community.” He stated we need to make sure that we are attracting people who will make a difference in our community, and this is why he is a strong advocate of this particular policy.

Ms. Blundi asked as an immediate step if we could draft a letter. She stated she knows that “it fell on deaf ears Statewide,” but our County is different. She stated there are activities in our County in support of young people who identify in different ways than they might have been assigned at birth. She asked that we write to the Bucks County Commissioners. She stated she wants to make sure that everybody is treated equally. She stated she would not want one of our residents to have something happen to them in Newtown or some other Bucks County Municipality, and we would not be able to do anything about it because it is outside of our jurisdiction. Ms. Blundi asked that the Board send a letter to the Commissioners asking them for County-wide protection while we are looking to see how we are going to address it so that everyone in Bucks County is treated fairly. Mr. McCartney stated he would be in favor of this. Mr. Lewis stated he would not have a problem with that. He added that if someone had an issue in Newtown or Yardley Borough, they would be protected because there are Ordinances there. Ms. Blundi stated her point is that all of the Ordinances are different.

Mr. Lewis stated Mr. Truelove had indicated that the Ordinance could be drafted with “self-executing provisions” in the event that things were to change at either the County or State level. Mr. Truelove stated these would be Sunset Provisions. Mr. Lewis stated he believes those Sunset Provisions would address many of Ms. Blundi’s concerns, and he would agree to having those Sunset Provisions included. Ms. Blundi stated she is in total agreement with the direction the Board is talking about, but she would still like to immediately send a letter to the County Commissioners. This was acceptable to the rest of the Board. Mr. Grenier stated he would expand this to our State Legislature and our Congressmen as well. Ms. Blundi stated while she does not have an issue with this, we know the obstacles that our Senator and Representative face across the State. She stated she believes that we could be successful with the County, and a standard could be established for Bucks County where people will be treated fairly. She stated in the meantime, we will continue to research and move forward on our own program.

Ms. Cathy Hanville stated she is a Lower Makefield resident, and she sent the Board an e-mail to which all Board members responded. She stated Federal Law does not protect the community. She stated there are Executive Orders and Court Orders that offer some protection, but there is no Law in the Federal Government or in Pennsylvania. She stated if we are going to refer people to the State, they will not do anything. She stated she feels an HRC can do a lot of things; and she was on one in California, where they did a lot of educational events, and they could do things beyond the LGBT Protective Ordinance since other communities also need to be heard and served.

Ms. Hanville stated she is a therapist, and conversion therapy “is torture.” She stated those doing it now market it very well and differently and a “lot of them are calling it gender exploratory therapy; and to a parent who has a child who is thinking about things, that sounds great.” She stated they believe that no one under the age of twenty-five can make the decision to transition; and while they are “starting with youth, they are pushing for adults now.” She stated they also believe that no one wants to transition because they are actually transgender, but it is “because of social contagions which is a debunked theory that kids learn to be trans from Facebook, etc.” She stated she is working on getting people to sign petitions to get our mental health organizations to issue a consumer statement saying that “this is essentially fraud.” She stated every mental health organization has come out against it.

Ms. Hanville stated she received some concerns back from the Board in response to her e-mail. She stated one was it would be unfair to protect LGBTQ+ persons and not the rest of the population. She stated Federal Law has the following protected classes: race, gender, older individuals, disabled people, National origin, cultural identity, and religion. She stated in Pennsylvania, it is race, color, religious creed, ancestry, age, National origin, and disability. She stated this is not a special Law, it is a Law that gives LGBTQ+ individuals the same basic protections that everybody else gets. She recommended that the Board look at the Website of Movement Advancement Project which shows all of this and what is not covered legally. She stated in Pennsylvania they say that 37% of LGBTQ+ individuals have full protection under Law, and she stated she currently is not one of those 37%.

Ms. Hanville stated in 2004, she and her wife were married in San Francisco City Hall; but that marriage was overturned by the Courts which was devastating since they had been together for eleven years when they were married. She stated in 2008 the California Supreme Court ruled that marriage was legal under the California Constitution, and they were married again; and in November of the same year, the California voters passed Proposition 8 which made gay marriage legal. She stated from November, 2008 until 2015 when the Supreme Court of the Country ruled that gay marriage was legal, she was considered married in California, but not by the Federal Government. She stated she filed taxes in California as a couple, but as single for the Federal Government. She stated it is not a small thing how these Laws impact people, and there are major emotional and financial consequences. She stated she understands why most people who are not part of the community, have not thought about this.

Ms. Hanville stated the fact that Lower Makefield has taken the time and attention to put together an Ordinance to protect basic human rights means something.

Ms. Hanville stated another comment in response to her e-mail was that Laws need to be thoughtful and not have unintended consequences. She stated she agrees, but Newtown, Middletown, Doylestown, and Yardley Borough all have this Ordinance. She stated Doylestown passed theirs in 2010 and Newtown in 2011 so these Laws have been in existence for long enough that we would know if there was any negative impact. She stated LMT is not breaking ground, and we are far behind on this.

Ms. Hanville stated with regard to an Ordinance, she would be in support of the conversion therapy ban since as a therapist she knows the dangers of this as she noted previously. She stated in 2024, things are “really bad for us,” and the ACLU is currently monitoring 478 anti-LGBTQ+ bills in this Country, three of which are in Pennsylvania. She stated we need to do better in LMT, and she would appreciate acting now.

Mr. Zachary Rubin, 1661 Covington Road, stated a number of years ago when he was on the Board of Makefield Glen Homeowners’ Association, a resident asked to have an electrical chair installed at the pool so that she could be lowered into the pool because she was physically challenged. He stated she went before the Makefield Glen Executive Board, and they refused to grant her request; and he was in the minority of that decision. He stated she then went to the State Human Relations Commission, and they indicated that the Homeowners’ Association was in violation of discrimination and ordered the Board to get sensitivity training, although they had no way to enforce that. He stated their attorney advised them if they refused to do it, the resident would sue them in a Civil Suit in Court, and the Homeowners’ Association would lose the decision. He stated there was a compromise, and they agreed to get sensitivity training and put in the mechanical apparatus for the resident. He stated a number of the Board members refused to get the sensitivity training, and there was no enforcement mechanism by the State Human Relations Commission. He stated the Township should not look to the State Human Relations Commission to try to resolve some of these problems.

Mr. Truelove stated he believes that the PHRC may have contempt powers, but they have to go to Court to get them which does add another step.

Ms. Monica Hinden stated she lives on Weinmann Way. She stated she moved here three years ago, and has lived in a number of States in the Country so she has an “understanding of the mix of social/political regions,” and she understands a lot of peoples’ different points of view. She stated at the beginning of the meeting we said, “with liberty and justice for all.” She stated she loves the community and her family is engaged in the community. She stated she agrees with Mr. Grenier that there are many people in the community who would be willing to be on the new Commission if created to help take the burden off the Township. She stated she feels this ultimately comes down to respecting our community and our citizens. She stated the sign of a succeeding community is that everyone feels seen and heard. She stated she is in favor of taking this to the County, but feels the best way to show the County that we are serious is to tell them that

we already have our own Ordinance and that other Townships and Boroughs have these Ordinances as well. She stated we can then take on the State, and she is willing to help with this. She stated since it seems that the Board is in favor of this and there is a community of volunteers who want to do this, she feels the Board should vote on starting on this now.

Mr. Grenier asked that we start to draft an Ordinance that includes an HRC and “some features” that would not be final or for advertising. Mr. Truelove stated he could provide something with “a lot in it,” and the Board could then decide if they want to take anything out. Ms. Blundi suggested that they look at the Yardley Borough Ordinance and “mark it up.” Mr. Grenier stated other than Yardley Borough, he looked at Susquehanna Township and Upper Dublin Township which he felt were good. Ms. Blundi asked Mr. Grenier to circulate those to the rest of the Board so they could mark them up and send them in.

Mr. Truelove asked if he should still contact the people who were discussed earlier to come and make a presentation. Mr. Lewis stated that could be done at the same time.

Mr. Ross moved, Mr. Lewis seconded and it was unanimously carried to direct the Township solicitor to draft a non-discrimination Ordinance.

Mr. McCartney asked if this a complete non-discrimination Ordinance or a specific non-discrimination Ordinance as a complete non-discrimination Ordinance was not discussed. Mr. Ross stated we can have the solicitor look at neighboring areas and draft up what he thinks is good. He stated the Board can then review it and discuss what they want to add or replace and move it forward. Mr. McCartney asked if there are other non-discrimination Ordinances in neighboring Municipalities that are encompassing of all classes. Mr. Truelove stated the one he recalls which is the “most aggressive” is the one from Doylestown Borough.

Ms. Blundi stated she believes that we can direct the solicitor to do things, but when something is not on the Agenda and it involves the spending of money, she did not feel that we could add it on because of the Sunshine Act. Mr. Truelove stated if there is a concern about a challenge to the Motion, we could defer it to the next meeting; but in the meantime, he could send the Board Ordinances and try to engage Mr. Corrigan and others. He stated while this is not a specific authorization of money, he understands Ms. Blundi’s concerns given the more restrictive decisions



of the Commonwealth Court. Mr. Lewis stated our last meeting Agenda did include that authorization and “this was a requirement prior to starting that.” He stated he feels that has been properly advertised and brought forth, and Mr. Truelove stated he agrees that there was sufficient notice. Mr. Truelove stated the Board has already voted on this. He added that he will send the Board the other Ordinances and work on getting Mr. Corrigan and others to come before the Board.

#### COMMUNITY DEVELOPMENT

##### Acknowledge the Granted Time Extension to Render a Decision on the Cleary and Timko-Noyes Subdivision Plan

Mr. Kratzer stated an Extension of time has been granted by the Applicant for this Subdivision Plan until April 17.

Mr. McCartney moved, Mr. Grenier seconded and it was unanimously carried to acknowledge the granted time Extension to render a decision on the Cleary and Timko-Noyes Subdivision Plan to April 17.

#### SUPERVISORS REPORTS

Ms. Blundi stated the Historical Commission is putting together draft language to come before the Board which should help protect buildings that are historical from benign neglect/demolition. Ms. Blundi stated the Golf Committee met, and this year the Course will be twenty years old; and there will be a celebration in July.

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Grenier moved, Mr. McCartney seconded and it was unanimously carried to appoint Peter Solor to the Patterson Farm Master Plan Implementation Committee.

#### ADDITIONAL PUBLIC COMMENT

There was no one wishing make public comment at this time.

March 20, 2024

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There being no further business, the meeting was adjourned at 10:35 p.m.

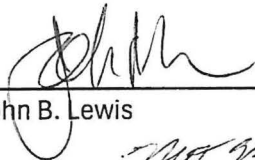
Respectfully Submitted,




Suzanne Blundi, Secretary

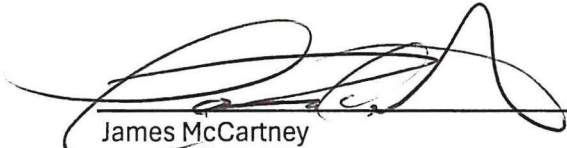
**LOUIS R MAKEFIELD TOWNSHIP  
 BOS MEETING - 03/20/2024  
 INTERFUND TRANSFERS**

<b>February 2024 PAYROLL AND INTERFUND TRANSFERS</b>	
Fund	
01- GENERAL FUND CHECKING TO PAYROLL ACCOUNT	815,085.31
GENERAL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	7,387.14
03- GENERAL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	499.44
05- PARKS AND RECREATION FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	2,051.15
09- POOL FUND TO DEFINED CONTRIBUTION PENSION PLAN ACCOUNT	884.94
	<b>825,907.98</b>

  
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 John B. Lewis

  
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 Matthew Ross

  
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 Daniel R. Grenier

  
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 James McCartney

  
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 Suzanne S. Blundi