

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 9, 2024

A meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 9, 2024. Mr. Lewis called the meeting to order at 7:45 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

Others: David W. Kratzer, Jr., Township Manager
 Maureen Burke-Carlton, Township Solicitor
 Isaac Kessler, Township Engineer
 Kenneth Coluzzi, Chief of Police

Absent: James McCartney, Supervisor

COMMUNITY ANNOUNCEMENTS

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

Mr. Lewis stated if you have some free time on the weekends and would like to volunteer your time, you can join the Friends of Five Mile Woods Clean-Up days. They are held the second Saturday of the month at Five Mile Woods starting at 8:30 a.m. Please come in comfortable clothes and bring work gloves and water to stay hydrated. If you have any questions, you can e-mail Monica Tierney at monicat@lmt.org.

Mr. Lewis stated on October 19th, the Lower Makefield Township Historical Commission is hosting their Slate Hill Cemetery Ghost Tour from 5:00 p.m. to 9:00 p.m. at the Slate Hill Cemetery, 2308 Yardley-Morrisville Road, Yardley, PA.

To sign up and buy tickets, you can visit: Slate Hill Cemetery Ghost Tour 2024. The Tour provides a true sense of the history of Lower Makefield and the Historical Commission continues to work to bring that history alive.

Mr. Lewis stated on October 26th, the 11th Annual Slay Sarcoma 5K Run/Walk will be held at the Core Creek Park in Langhorne, PA. The primary objective of this event is to raise awareness and research funding for Leiomyosarcoma (LMS). We are estimating 500 race participants and their families to participate.

Mr. Lewis stated Lower Makefield Township will be hosting a Blood Drive for the Red Cross on Friday, November 1 from 12:00 p.m. to 5:00 p.m. in the meeting room at the Township Building. To sign up or get more information log onto RedCrossBlood.org and enter Sponsor Code: LowerMakefield.

Mr. Lewis stated the Lower Makefield Veterans Parade and Ceremony will be held on Saturday, November 9 starting at 1:00 p.m. on Edgewood Road and Long Acre Lane and concludes with the Ceremony at Veterans Square. For more information visit the Township Website lmt.org or call 267-274-1105.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Ms. Laurie Grey, stated she is a Township resident. She stated last week's meeting was canceled and the October 16th meeting has been canceled. She stated at the September 18th meeting it was announced that the October 16th meeting was going to be the Budget Workshop and she asked if that will now be the October 23rd meeting, and Mr. Lewis agreed. Mr. Lewis stated last week's meeting was cancelled because it was Rosh Hashanah.

APPROVAL OF CONSENT AGENDA ITEMS

Ms. Laurie Grey noted the Item with regard to the Fall maintenance for the turf field; and she asked if that is the turf field at Macclesfield. Mr. Fuller stated while the term is "turf" it is actually the lawn/grass; and it is a Fall fertilization program for all of the grass fields that the Township owns and maintains; and it has nothing to do with YMS' turf field.

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to approve the following Consent Agenda Items:

Approved the Minutes for the September 18, 2024 Meeting
Approved the Warrant List dated October 2, 2024 in the amount of \$1,119,911.04 as attached to the Minutes
Approved Payment Application #1 to JDM in the amount of \$140,681.13 relating to the 2024 Road Program
Approved Financial Security Release #1 for Prickett Preserve – Commercial in the amount of \$134,637.50
Approved Change Order #2 and Final Payment to T. Schiefer Contractors, Inc. in the amount of \$51,719.10 for Regency Trail Pedestrian Project
Awarded Bids for 2024 Leaf Collection Contractors
Awarded Bids for 2024-25 Snow Plowing Contractors
Awarded 2024-25 Bucks County Consortium Salt Bid to Morton Salt, Inc.
Acknowledged and accepted a Grant of Extension of Time until December 31, 2024 for the 1511 Lindenhurst Road Subdivision
Approved the Fall, 2024 Athletic Field Turf (Grass) Maintenance Proposal from Integrated Turf Management, Inc, in the amount of \$12,460.00
Approved an Amended Employment Agreement between the Township and the Township Manager

COMMUNITY DEVELOPMENT

Approve Award of a Tree Planting Bid to M & S Erosion Control, LLC in the Amount of \$61,871.00

Mr. Ross moved and Mr. Grenier seconded to approve the award of a Tree Planting Bid to M & S Erosion Control, LLC in the amount of \$61,871.00.

Mr. Majewski stated nine Bids were received to do tree planting on a variety of Township properties including Makefield Highlands Golf Course, Macclesfield Park, open space at the intersection of Blue Stone and Stony Hill Roads, an open space parcel on Old Oxford Valley Road, and a few other miscellaneous trees. Everything checked out for the low Bidder, M & S Erosion Control, LLC. The recommendation is to award the Base Bid and the Alternate Bid.

Mr. Grenier asked if there were any exclusions or assumptions from the Bidders related to availability of specific tree species and whether or not their prices would go up if the cost of a tree may be higher than what they anticipated. He stated according to the table provided to the Board, some of them had different prices for different species. He asked if the number provided is set. Mr. Majewski stated the number is set; and if a substitution is required, that would have to be evaluated with the contractor to make sure that it is in the best interest of the Township.

Motion carried unanimously.

ENGINEERS

Woodside Road Multi-Use Trail Project

a. Consider Authorizing Reimbursement to PECO for Tree Trimming in the Amount of \$18,872.61

Mr. Lewis stated this no longer necessary.

b. Discussion and Tabling Extra Work Proposal from R.E. Pierson Construction Co. in the Amount of \$175,365.00

Mr. Kessler stated he understands that this matter is being Tabled for the contractor to provide pricing for an alternate fence style.

Mr. Grenier moved and Mr. Ross seconded to Table the extra work proposal from R. E. Pierson Construction Co. in the amount of \$175,365.00 to the next meeting on October 23, 2024.

Mr. Kessler stated that would be subject to the Township traffic engineer to confirm that; and if that happens before October 23, they will provide it for the Agenda.

Motion carried unanimously.

Discussion and Tabling Acceptance of the Quote from Contech Engineered Solutions for the Aluminum Arch Culvert for the Highland Drive Drainage Improvements Project at a Total Cost of \$81,300.00

Mr. Kessler stated this is for an aluminum arch culvert with an open bottom. He stated the Township assessed the option of purchasing it at this point which allows the lead time to start and allows the Township to have the culvert materials for a contractor who would be awarded the project and would help with the lead time. The contractor chosen would then assemble and install the culvert where proposed on Highland Drive.

Mr. Grenier stated we may have a different direction we want to provide. Ms. Carlton stated the Board could decide not to approve or indicate who they would prefer purchasing the culvert.

Mr. Grenier moved and Mr. Ross seconded to have the contractor eventually chosen for the construction of the Highland Drive culvert purchase whatever culvert is agreed upon.

Mr. Kessler stated the options were analyzed by his office and many from the Township staff. He stated the reason they are recommending that the culvert be purchased ahead of time is that the pricing could be through COSTARS and the final culvert plans from Contech would be provided upon the purchase of that culvert. He stated if there is not one purchased, it will add time to the Plans being finalized for the Bid package; and it would also add scope to have the culvert designed if it is not the one from Contech that is used.

Mr. Grenier stated the Contech one is an aluminum arch culvert which is built in pieces, and that requires a different pavement type put over it rather than a pre-cast box culvert. Mr. Kessler stated a pre-cast box culvert was discussed with the DEP, and they do not want a box culvert at this location. He stated they want an open bottom, and that was part of the Permitting that we went through with them which was discussed many times. Mr. Grenier stated you can get an open bottom box culvert.

Mr. Kessler stated he is saying by definition it would be open on the bottom. He added the hydraulics that they looked at were for the maximum opening to allow the most flow through which was the reason why the option of the aluminum arch culvert was selected. He stated the three options were an aluminum arch culvert with asphalt pavement, an aluminum arch culvert with concrete pavement, which allows you to have less clearance and enlarge the

opening, and the third option was a modular rolled girder with a short stand, but the high cost of that did not seem to be an option worth pursuing, and it also had a longer lead time. Mr. Kessler stated a decision not to move forward with the request tonight would definitely delay the timeline for the project, and they could help clarify any concerns with the recommendation.

Mr. Fuller stated there is risk on the Township to have us provide materials to a contractor, but that risk can be mitigated with specs, drawings, and information in the packet. Mr. Fuller stated low-stream flows would be predicted in June or July and that would therefore be the best time to break ground.

Mr. Grenier asked about maintenance once Public Works takes it over, and Mr. Fuller stated aluminum is better than galvanized and should have a higher lifespan. He stated he does not believe it would have as long a longevity as concrete; but as Mr. Kessler noted, he is not sure if an open bottom box culvert would have the same hydraulics. He stated if those calculations worked out, concrete would have a longer lifespan, but it would have a higher up-front cost for purchase of materials. He stated in terms of installation there may be savings on the back end for the installation of the aluminum arch culvert in terms of field construction and longevity of maintenance. Mr. Kessler stated the aluminum that Contech specifies is the military-grade aluminum with lifespan estimated to be 75 years, and concrete is usually about 25 years longer than that. He added that grade of the aluminum is not something that is easily worn down, and it is a robust product.

Mr. Grenier stated we are thinking about Bid options when it goes to Bid whether the contractor would purchase this particular product that Contech sells or provide another option that meets all PennDOT and DEP Permit requirements that may be a different design. Mr. Kessler stated it would have to be re-Permitted since the arch culvert is what was Permitted with DEP. He stated it was an aluminum arch with the opening size shown; and if they went back with a different style, they would have to re-do the Permitting with DEP. Mr. Grenier stated that would be a drawing update, and he is not concerned about that from a scheduling perspective. He stated he feels the risk put on the Township to take ownership of this up front does not get us that much from an overall project schedule. He stated we want to make sure that we get the best culvert possible for this particular area. He stated we want to get a culvert that works long term and addresses the issue; and if it takes a month or two longer, that is fine. He stated the other issue is long-term maintenance for the Township, and we want to make sure that it is something the Township can maintain and be addressed over the years when there is re-paving.

Mr. Lewis stated if we were to buy it now, we would take a risk if it were to be damaged or does not work, where if it was bought through the contractor they would be responsible. Mr. Grenier stated the concern is if we buy something off a spec, and the contractor has an issue in the field, there is risk that there may be a field change or re-design because field conditions are not what they expected, etc.

Mr. Kratzer stated, depending on Board action, in terms of a storage issue, we could coordinate delivery from Contech so that delivery does not occur prior to the selection of a contractor; and it could be a direct delivery to the contractor to the job site and not involve storing the aluminum arch culvert at the Township facility. Mr. Kessler stated if there is a preference not to store it at the Public Works yard until they come to assemble it, it could be delivered wherever it makes the most sense. He stated Contech also has as part of their design and quote that they offer support to the contractor when they are assembling. Mr. Grenier asked if there is a storage fee with that, but Mr. Kessler stated that question was not asked. Mr. Grenier stated a fee is often assessed if they have to keep it at their yard. Mr. Kessler stated it is not assembled, and the Contract would be for the contractor to assemble and install.

Mr. Kessler stated the design that was Permitted and coordinated with staff was so that there would be the least amount of impact in delaying the schedule and also to avoid having to go back a few steps with Permitting and design which has already been completed to this point.

Mr. Kratzer stated with regard to the storage, there is a standard note on the proposal that should they be unable to accept delivery of materials at the agreed upon time, a storage charge equal to a maximum of 5% per month of the selling price of the stored materials applies. Mr. Grenier stated that could add up quickly.

Mr. Grenier asked when this project would be put out to Bid. Mr. Kessler stated if his office has to design the final culvert and add an alternate to that, they would request that those services be paid for as well as being paid for putting together the final package. He stated at this point it would be ready by the end of October but they could be looking at another two months. Mr. Grenier asked if a contractor could do the culvert design. Mr. Fuller stated you could write Performance-based Specifications and Drawings with minimums and maximums to meet DEP requirements, and it would be on the contractor to provide the actual detailed construction drawings stamped by a PE that would be provided to RVE for final review and acceptance. He stated RVE would then

not necessarily be designing the culvert but would be provide Performance Specs for a contractor to Bid on. Mr. Grenier asked if there are contractors who we are aware of who could do that. Mr. Kessler stated that would be open to a public Bid.

Mr. Kessler stated another reason they were hoping to include the culvert with the Bid documents that would be provided for potential Bidders is the history of some other culverts that have been done in the Township that have not had a final culvert drawing included with them, and there were issues with unexpected issues at construction. He stated this was an effort to address that which was the direction early on with this project.

Mr. Fuller stated all of the options being discussed have a price tag attached to them, but if they go back to do Bid Alternates it would be going back a few steps from where they are today versus finalizing what could potentially be purchased tonight. Mr. Fuller stated if the Board wants to put the purchase of this culvert onto a contractor, the Township would probably have to enter a Professional Services Agreement with Contech. Contech would finalize the design, provide it to Mr. Kessler to put in drawings and specs, and we would get an aluminum arch culvert provided by the contractor, and the Township would have no risk at that point. There would be a little longer lead time. Mr. Grenier stated while that is happening, we could also have the same contractor provide a Bid Alternate that meets performance requirements. Mr. Kessler stated they would also have to get Permitting from DEP for a change in design. Mr. Grenier stated that was done already so he feels we could get that done easily. Mr. Kessler stated that would be up to the contractor to provide that.

Mr. Lewis stated he feels from a cost perspective, the optimal is that the contractor should make the purchase so that the contractor would be responsible for it through its whole life, and that would also help us from a cash-flow perspective because then they get paid at the end. He stated the question is if we revise the structure of the Bid documents, there are costs associated with that. He stated we need to determine if there is enough value in revising the design such that it offsets the cost of the revision and the potential Permit re-work versus the inflation risk, which may be negligible for this type of item. Mr. Grenier stated we also need to consider long-term maintenance. Mr. Kessler stated also related to the cost, there is the person who provided the quote from Contech through COSTARS, and that was part of the discussion with staff that if it is a culvert even with an Alternate for public Bid, it would be expected to be a higher cost for the culvert.

Mr. Kratzer stated he recalls that on the PSA, they were charging \$5,000 for design, and Mr. Kessler agreed. Mr. Kessler added that if the Board does not want to purchase the culvert and wanted them to include it to be in the Bid spec or an approved equal for the contractor to provide, it would be \$5,000 for them to complete the design to include with the Bid package.

Mr. Fuller stated you could have a contractor provide it or an equal if we do not buy it, and they could theoretically find a cheaper product that meets performance spec.

Mr. Kessler stated the main reason not to purchase the culvert that has been designed would be if there is a strong objection to the aluminum arch culvert.

Mr. Kratzer stated there was reference to the rigid pavement section that is required from a cover standpoint, and he asked what the incremental cost is associated with rigid pavement versus standard pavement section. Mr. Kessler stated the concrete pavement is more expensive per square yard than asphalt. He added what you are gaining is the culvert opening so that you can have a shallower depth above the culvert to the surface of the roadway if you have a rigid pavement. Mr. Kratzer stated that would improve the carrying capacity of the culvert because of the more shallow depth, and Mr. Kessler agreed. Mr. Kessler stated they are trying to maximize the space and make the culvert opening as large as they can under the road which is not too high above the stream to begin with.

Mr. Ross stated he would prefer concrete over aluminum since he feels it is better, but he feels that should have been addressed a while ago; and now that we are here it is probably cheaper and easier to accept what is proposed and move on. He stated in the future, we should make sure that we are more diligent about this. Mr. Kessler stated it was discussed through the entire Permitting process, and they did go through the different options. Mr. Kessler stated it is possible to go back if it is the Board's desire to make it a concrete structure. Mr. Ross stated it has been his experience that anytime a contractor hears "customer equipment" it is always a problem.

Mr. Lewis asked Mr. Ross if he wants to pay the \$5,000 for the PSA component, and Mr. Ross stated he would be in favor of this as long as it puts the onus on the contractor. Mr. Kessler stated if they do not want the aluminum arch at all, that does not have to be one of the options. He stated if they want to go with concrete, they can go back a few steps, and go back to the DEP and talk about concrete. Mr. Ross stated that will probably cost the Township more

money in the end, and Mr. Kessler agreed that would be more expensive. Mr. Ross stated it would not just be the item itself, but it would also be all the work involved in the re-do. Mr. Grenier stated the holding cost of 5% a month is steep if we want them to hold it versus storing it on site. Mr. Kessler stated the conversation with them has been to deliver it when it was ready as part of the effort to reduce the lead time; and if that is an issue, we could talk to them more about it. He stated their expectation was that it would be delivered upon fabrication completion.

Mr. Grenier stated he is not in favor of aluminum, and Mr. Ross agreed. Mr. Ross stated if they were to put in aluminum, they would be putting concrete on top of it so he feels they should do concrete in the first place.

There was discussion on action to be taken; and Mr. Kessler stated the Agenda is just the request to purchase the culvert, and his office could work with staff for direction. Mr. Fuller stated Mr. Kessler's staff could investigate an open bottom, box culvert with DEP to see what level of effort and cost it would take to modify the drawings and the Permit to do that. He stated they could have that estimated cost from RVE by the next Board meeting, and they could always default back to execution of the PSA with Contech and stay with the aluminum if that is the Board's decision.

Mr. Kessler stated it appears that aluminum is not desired. He stated Option 3 was looked at early on which is a concrete structure, and it was more of a short span because you do not have a bottom. He stated Contech had offered that with a price. Mr. Kessler stated the design has a longer lead time, but he now hears that the lead time is not a concern, even though they thought that was one of the priorities for the project. Mr. Kessler stated Option 3 is a concrete span structure with an abutment on each side; and while it is typically not used too often for a short span which is the case in Highland and is another reason why the aluminum arch was preferred, it could be looked at. Mr. Kessler stated they could investigate concrete options and bring the information back to the Board.

Mr. Lewis stated he does not feel we would lose anything by holding off two weeks on this particular item, and this could be Tabled for two weeks. He stated the Board wants to provide fair direction to staff and the Township engineer. Mr. Kessler stated if the direction is not to have aluminum, they could just look at concrete. Mr. Ross asked that the Board be provided with a cost and time estimate to change everything over to concrete so the

Board can look at both options. Mr. Ross stated at the very beginning if he had been asked, he would have indicated it should be concrete; however, at this point, if the concrete is going to be much more expensive, it might be more feasible to do the aluminum. Mr. Kessler stated those options were discussed with staff so they have prices that were supplied at that time, and he could forward them again as well as looking at other options for contractor-provided concrete culverts.

Mr. Grenier stated whatever culvert we have, there needs to be clear design for scour protection and other features that do not impact the upstream and downstream neighbors and make sure that any fence or other protection is clearly designed and it is understood how that is going to be constructed so that the contractor knows exactly what they will be doing. Mr. Kessler stated that part has been done already, and it is now just what kind of culvert the Board wants.

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to Table.

General Project Updates

Mr. Kessler stated the Township's MS4 Annual Report was submitted to the PADEP on September 19, and that keeps the Township in good standing with the MS4 Permitting that we have going forward.

Mr. Kessler stated with regard to Highland Drive the PECO work is waiting for some final moving from Comcast, and he was advised that would be completed today or tomorrow. He stated PECO is looking to move the pole later in October. Mr. Kessler stated he is coordinating with the resident at 1 Highland Drive for the Easements required for the project, and there will be a Temporary Construction Easement as well as a Permanent Easement for the stream itself. Mr. Kessler stated it was marked out last Friday so that the resident has a clear vision of where the Easements are on the property.

Mr. Kessler stated with regard to the Road Program, the latest update to the Road Program Map which shows the roads that have been completed year by year was provided on October 1 and can be used as a tool to plan out roads for next year.

Mr. Kessler stated for the 2022 Road Program there is a location that Morrissey has to revisit for an area where there were ponding issues after they paved on Hollow Branch Road. He stated that information has been provided to them, and Mr. Kessler is waiting for a scheduled date for them to address that issue; and that is to be addressed before the paving season is completed this Fall.

Mr. Kessler stated regarding the Woodside Road Bike Path Project, Comcast completed their work as of the end of September; and Verizon is working through moving their equipment to the new poles. He stated Verizon is removing the old poles as they complete the shift. He stated they estimate it will take three to four weeks total for that work. Mr. Kessler stated his office had a meeting with the Township on October 7 to review the remaining work by the contractor, and that was included on tonight's Agenda; however, it was preferred to have them also provide a price for a different fence style that would be installed in the area that descends down to Taylorsville Road.

Mr. Kessler stated with regard to the trail connection, the Scoping Meeting Application was submitted to PennDOT on September 12, and an initial response was received from them on September 23. They are still looking to coordinate a meeting with PennDOT for this Fall.

Mr. Kessler stated on Taylorsville Road for the Road Improvement Project the Preliminary Design Plan Set is being finalized, and there is a meeting with the Township staff to review the full set on October 16. They will then reach out to DCNR and PennDOT for the Permitting phase. He stated they will likely request the release of some of the other phases in the project that go into part of the Permitting. He stated to get an HOP finalized, they do not want to have to do additional re-design after that so the final design phase and some of the phases that go into the coordination with PennDOT and DCNR will be brought back to the Board.

Mr. Kessler stated with regard to Veterans Square ADA Accessibility and Improvement, final revisions for the Concept Plan were provided to staff on October 2; and they are working with the Parks & Rec Department and Mr. Majewski's Department.

Mr. Kessler stated Lindenhurst Road got a County Conservation District approved request for new coverage on September 9, and that is their General Permit 2 which will expire in December. Mr. Grenier stated their Permit will expire on 12/2, and he asked if they are going to renew it, and Mr. Kessler stated everyone who has one of those has to renew it.

Mr. Kessler stated Torbert Farm has an updated letter since it has been a year since they were in with a Plan submission. He stated we are waiting for the re-submission to come in this fall.

Mr. Kessler stated with regard to the Point project, 1674 Edgewood, we are waiting for the Plans from the developer to circulate to the Township for final signatures.

Mr. Kessler stated rain gardens were constructed at Yardley Preserve, and site inspections were conducted at the end of September. There is follow-up to coordinate with some of the work with the contractor.

Mr. Kessler stated for Regency at Yardley, north side, they received an updated contractor's anticipated schedule that was provided on September 24 for the remaining punch list items. He stated on the south side, the Carriage Homes, they received an updated schedule from the developer; and they are going through the punch list items. He stated they conducted storm pipe repairs on Lavender Drive the beginning of October, and they look to stay on track to pave before the end of the paving season.

Mr. Kessler stated at Prickett Preserve the Residential side was finished at the last meeting and tonight it was approved for the Commercial side for the progress done there to date. He stated in the Residential portion they identified six trees that were in a dire situation and needed to be replaced, and the contractor was able to do that; adding that is their responsibility during the maintenance period.

Mr. Kessler stated some Grant opportunities were included in the Board's packet. He stated these include one for trees for watersheds at the end of October, the PennDOT MPS due in November, and a Green Light Go Grant due the end of November. He stated the LSA Grant (Local Shared Account) due the end of November is a significant Grant that covers a lot of items and does not have a match cost. He stated there is also an Alternate Fuels Incentive Grant due in December. The Statewide Waterway Access Grant is a rolling Grant that could be submitted toward January. Mr. Kessler stated he is happy to work with staff to identify projects that could match up with those opportunities.

Mr. Grenier noted the pole to be moved by PECO with regard to Highland, and Mr. Kessler stated PA American Water is going to take out that pole. Mr. Grenier stated PECO was scheduled to remove an old pole on 10/21,

and Mr. Kessler stated that is the pole in front of 1 Highland Drive, and is the one they were waiting on Comcast to finish removing their equipment. Mr. Grenier stated PA American Water explained to him that the reason they are doing the work they are doing now is because the existing pipe that feeds the neighborhood was built in the 60's, and they had it in their Capital Budget to replace with new pipe this year; and they had to replace in 2024 the portion that is uphill from the culvert. They will do the work related to the culvert later. Mr. Kessler stated they had to move their water line for the additional stormwater that the Township is looking to put in the roadway, and they decided it was good timing to re-locate in a different part of the roadway up to Upton. Mr. Grenier stated he believes that they abandoned the existing pipe in place and did not remove it, and Mr. Kessler agreed. Mr. Grenier stated that is something we should look into as a Township to see if we want to allow in the future all of that infrastructure to stay in the roads since some of is quite old. Mr. Kessler stated the pipe that will be in conflict with the stormwater that will be put in will be removed.

Mr. Grenier stated one of the inlets gets shifted because in the field there was a conflict with another line so they shifted it up the hill a little bit so the inlets are not exactly in the spots that are seen on the Plans.

FIRE SERVICES

Approve Authorizing the Submission of a Letter of Intent to the Pennsylvania Department of Community and Economic Development's Governor's Center For Local Government Services to Request Technical Assistance to Jointly Conduct a Fire Services Study with Yardley Borough

Mr. Kratzer stated this item was discussed in concept at prior meetings, and Yardley Borough has taken action to authorize the submission of a Letter of Intent on their behalf. He stated we are looking to submit a companion Letter of Intent to request this technical assistance.

Mr. Ross moved, Mr. Grenier seconded and it was unanimously carried to authorize the submission of a Letter of Intent to the Pennsylvania Department of Community and Economic Development's Governor's Center for Local Government Services to request technical assistance to jointly conduct a Fire Services Study with Yardley Borough.

MANAGER’S REPORT

Approve Authorizing the Advertisement of an Ordinance Amending the Police Pension Plan Document

Mr. Kratzer stated the proposed Amendment narrowly amends the definition of compensation for Command Officers and amends the definition of Command Officer to reflect the rank of Deputy Chief which is currently occupied.

Mr. Grenier moved, Mr. Ross seconded and it was unanimously carried to authorize the advertisement of an Ordinance amending the Police Pension Plan document.

General Updates

Mr. Kratzer stated the acquisition of open space on Knoll Drive that the Board of Supervisors authorized at a prior meeting is scheduled for this Friday, October 11. This is the purchase of 4.41 acres which, in conjunction with an existing parcel that the Township owns, will create a contiguous land area of Township-owned property of a little over 25 acres. He stated when you combine the Yardley Walk Community Association’s open space that will create a contiguous block of open space both publicly and privately owned in excess of 36 acres.

Mr. Kratzer stated with regard to the RFP for IT Services, the responses were due on September 27; and we received 8 responses to our Request for Proposals. The staff is in the process of reviewing those and a recommendation will be forthcoming.

Mr. Kratzer stated with regard to the Application the Township submitted to the Pennsylvania Department of Community and Economic Development to participate in their Strategic Management Planning Program to develop a multi-year Financial and Operational Plan for the Township, we received funding through that program in the amount of \$35,950. He stated that was contemplated as part of the 2024 Budget process; and with the Award at this point, that work will go into 2025, and we will work cooperatively with an external consultant and the Board of Supervisors to develop a Plan that will be helpful in formulating the 2026 Budget as well as subsequent Budgets beyond that.

PARK & RECREATION

General Project Updates

Mr. Fuller stated the contractor for the Memorial Park basketball court has completed the resurfacing project. The internal crews have a little more work grading around the basketball courts. There is orange fencing around the courts as they are waiting for the grass to grow so mud is not tracked onto the new courts.

Mr. Fuller stated work will start to take place at the Secret Garden with fence replacement around the perimeter. Mr. Fuller stated Ms. Tierney will put out information that the Park will be closed starting the week of October 21, and the rubber surfacing will start being replaced at that time. The estimated timeframe is about one month for replacement. Mr. Lewis asked if the bathrooms that are near the Secret Garden will still be accessible during construction, and Mr. Fuller stated the intent is to keep them open as best as possible but they do not want to have children around the work site. Mr. Grenier stated he assumes there are no rentals planned for the pergola in the area, and Mr. Fuller stated there are rentals up until October 20 which is why the work will not start until October 21. Mr. Ross stated he feels that the see-saw in the Secret Garden needs maintenance, and Mr. Fuller stated they will work on that.

SOLICITORS REPORT

Ms. Carlton stated the Board met in Executive Session prior to the meeting and discussed litigation matters and an employment matter.

Approve Resolution #24-23 Approving the Adoption of a Sexual Misconduct, Sexual Harassment, and Other Unlawful Harassment Policy and a Child Protective Services Law: Child Abuse Reporting Policy

Ms. Carlton stated the Board received this Resolution in their packet.

Ms. Blundi moved and Mr. Ross seconded to approve Resolution #24-23 approving the adoption of a Sexual Misconduct, Sexual Harassment, and Other Unlawful Harassment Policy and a Child Protective Services Law: Child Abuse Reporting Policy.

Mr. Grenier noted Page 2 under Allegations of Sexual Misconduct in terms of staff members who become aware of sexual misconduct the guidance is to report it to the Board Chair and local law enforcement; and he asked if there is any reason why it would just be the Board Chair or could there be the option to report to any member of the Board of Supervisors. He stated someone may feel more comfortable reporting to a Supervisor other than the Board Chair. Ms. Carlton stated that could be changed to any current Supervisor, and this was acceptable to the Board. Ms. Carlton stated they will go through and make that global change.

Ms. Blundi stated it should be noted that we do not have an issue with this subject, but the Township is working through all our policies.

Motion carried unanimously.

Wireless Facilities Ordinance

Ms. Carlton stated this was before the Planning Commission on Monday, and there were some revisions made to the Ordinance. She stated it went to the Bucks County Planning Commission, and they had two suggestions one of which had two options. She stated the Planning Commission is recommending one of the options which is to recommend to the Board of Supervisors to proceed with the Ordinance as presented but strike references to the wireless communications facilities being defined in the Zoning Ordinance. She stated the Zoning Ordinance does not define the wireless communications facilities so we do not need to reference it in the Ordinance itself. Ms. Carlton stated the Planning Commission also requested that any of the text that was added be underlined, but it was not for some reason, so that will be done.

Ms. Carlton stated this will be presented to the Board of Supervisors once it is finalized. Ms. Carlton stated the Wireless Facilities Ordinance was prepared by the Cohen Law Group, and her office will work with them on the changes.

Discussion: Rodent Issue

Ms. Carlton stated also discussed in Executive Session was a discussion about a beaver, and the Township is taking no ownership of this wild animal.

General Updates

Ms. Carlton stated they are close to being able to bring to the Supervisors the the Draft Amended Responsible Contractor Ordinance. She stated the Sign Ordinance is subject to revision by her office because of the new Case Law.

SUPERVISORS REPORTS

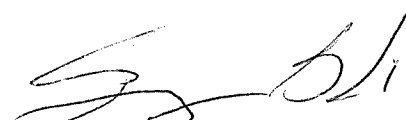
Ms. Blundi stated they will continue the interview with the Golf Committee candidate which took place earlier this evening for the vacancy on the Golf Committee. Mr. Grenier stated there is also an opening on the Electronic Media Advisory Committee. Mr. Lewis stated there is also a potential opening on the Planning Commission as well as on other Boards and Commissions.

ADDITIONAL PUBLIC COMMENT ON NON-AGENDA ITEMS

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

There being no further business, the meeting was adjourned at 8:53 p.m.

Respectfully Submitted,



Suzanne Blundi, Secretary