

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – DECEMBER 16, 2015

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 16, 2015. Ms. Tyler called the meeting to order at 7:30 p.m. and asked for a moment of silence in memory of Pete Stainthorpe who passed away one year ago today. Ms. Tyler called the Roll.

Those present:

Board of Supervisors: Kristin, Tyler, Chair
 Dan McLaughlin, Vice Chair
 Jeff Benedetto, Secretary
 Ron Smith, Supervisor

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 Mark Eisold, Township Engineer
 Kenneth Coluzzi, Chief of Police

PROCLAMATIONS FOR DOBBY DOBSON, DANIEL MCLAUGHLIN, AND RON SMITH

Ms. Tyler announced the issuance of Proclamations for Dobby Dobson, Daniel McLaughlin, and Ron Smith thanking them for their service to the Township.

PUBLIC COMMENT

Mr. Jeff Hirko, Dolington Road, thanked Ron Smith for stepping in and working with them this past year. Mr. Hirko stated they were to get an answer by this meeting regarding a link for the Patterson Farm Website on the Township Website. Ms. Tyler stated this was voted on at the last meeting, and it did not pass. Ms. Tyler stated they can re-visit this in the new year with the new Board.

Mr. Doug Marshall, Lower Makefield, stated there is an issue before Falls Township regarding the Elcon incinerator; and a number of people are concerned because they have done some research, and there are concerns with air quality. He added that Bucks County has the third worst air quality in Pennsylvania, and Lower Bucks County is worse than Upper Bucks County given the proximity to I-95 and US 1. Mr. Marshall stated the Clean Air Council has indicated that the radius of polluted air will be approximately thirty miles. He asked that the Board draft something that

would have an impact in this regard. He stated there are also concerns about water quality since it will be a half mile from the River, and millions of people get their water from the Delaware. It will also be built on wetlands, and material will be coming from the Carolinas and New England; and there could be accidents since it will be delivered by train, and an accident could be devastating. Mr. Marshall stated Elcon's home country is Israel, and they were recently ordered by that Government to relocate from Haifa, a highly-populated area, to the middle of a dessert. He stated Haifa has the highest cancer rate in Israel. Mr. Marshall stated he does not feel that this use belongs in a highly-populated area, and it is hard to imagine a more highly-populated area than Lower Bucks; and he feels it should be put somewhere else.

Ms. Tyler stated they did discuss this at the last Board meeting, and she asked Mr. Eisold for an update. Mr. Eisold stated Phase I was approved, and they are now evaluating Phase II. He stated he does not feel the Township received a full response from them at this point. Ms. Tyler asked if Lower Makefield is entitled to a response, and Mr. Eisold stated he feels they do have to respond to all questions posed before them; and he agreed to look into this further.

Mr. Smith stated there was a group previously before them that are opposing this, and Ms. Tyler had decided to refer this to Counsel for an opinion. Mr. Smith stated the Board of Supervisors learned that the Township solicitor had represented Elcon, and it was felt that there could be the appearance of a possible conflict; and the Board decided they would refer this to another attorney for an opinion. Ms. Tyler stated the Township will have to determine if they have standing to join in this, and to determine the amount of resources they are going to commit for legal representation. Ms. Tyler asked if this is something they should defer to the next Board when there will be a full five member Board adding that only two of the current Board members will be on the Board next year.

Mr. Marshall stated he attended a meeting at McCaffrey's, and he learned that there is a group in Burlington who have hired Counsel. Mr. Marshall stated possibly Lower Makefield should see if they can join together and save in term of resources. Mr. Marshall stated he is also aware of a environmental grass roots coalition, and they are considering hiring someone as well; and they could consider being efficient with regard to resources being expended, and possibly they could discuss this at a later meeting.

Mr. Benedetto stated he attended the December 1 meeting at McCaffrey's, and the information received there was very helpful. He stated while the Board previously indicated they would have this matter on tonight's Agenda, and he recognizes that there are a number of people present tonight about this issue. Mr. Benedetto stated the information he received at the meeting at December 1 gave him great pause including the fact that they are moving the current facility in Israel to a less populated area. He stated what is proposed in Falls is a bad location, and there is no

upside to it for Lower Makefield. Mr. Benedetto stated he feels they should be reaching out to Falls Township to work with their Board of Supervisors and hear what their thoughts are. Mr. Benedetto stated Falls Township had a meeting in February 2014 when they had a presentation from the Elcon President, and he feels Elcon downplayed the impact. Mr. Benedetto stated he would like to invite Falls Township to attend a Supervisors meeting so that they can have a discussion about this and get all the information out. Mr. Benedetto stated if Lower Makefield can have standing, he feels they should oppose this project.

Mr. Smith stated he was at the second McCaffrey's meeting, and he was very alarmed about the potential impact particularly on the young children and future generations. He stated it was indicated that this is a regional problem, and it will not just impact Falls Township. Mr. Benedetto stated the Philadelphia Water Department has indicated they have serious concerns.

Mr. Guy Petroziello, 294 Emerald Drive, stated between his property and his neighbors behind him there is a sinkhole that is affecting all three properties. He stated currently it is "swallowing" a fence, and it has dropped two to three feet. He stated while they could get it filled in and repair the fence, they are concerned that there may be a water pipe or something that is causing the sinking. He stated he discussed this with Mr. Fedorchak a few months ago, and Mr. Fedorchak called him back and said there was no issue although Mr. Petroziello stated he never received any documentation as to what was done and whether someone from the Township looked at a map, etc. He stated this is the Oxford Glen Development, and he understands that there were some issues when it was developed approximately thirty years ago; and the original developer ran out of money. Mr. Petroziello stated he understands that there was a pond in this area at one point, and it was just filled in. Mr. Fedorchak stated he will have Mr. Eisold go out and look into it. Mr. Petroziello stated he is concerned that this may have been a construction pit. Mr. Petroziello provided pictures of the area this evening. Mr. Fedorchak stated they need to know if there are any easements in this area, and they will review the mapping.

Ms. Judy Curlee, 551 River Road, stated with regard to Elcon, twenty years ago there was a project proposed in Morrisville with equal environmental impact; and they were able to be proactive. She stated waiting for the next Board seems to be careless and irresponsible. She noted the number of people present this evening who raised their hands who are concerned about Elcon. Ms. Tyler stated they are working through the process, and the Township must decide if they are going to undertake legal expenses.

Mr. Tim Collins, 479 Jenny Drive, stated at his place of work they always started with a safety meeting; and he feels it would be beneficial at the start of every meeting to know who in attendance is CPR Certified and willing to use it, how to use the AED device in the hallway, and where the emergency exit is if the main doorway is locked. Mr. Collins stated recently the Board members have been accusatory about improprieties; and particularly during Election time, there were comments made about what the Board was and was not doing for the benefit of the Township. Mr. Collins asked that the Board return to where they were previously being professional and ethical.

Ms. Dana Weyrick, 729 Stewart's Way, stated she watched the process of interviewing candidates for the Supervisor position last evening and she was outraged. She stated the way Mr. Smith treated Mr. Bryan McNamara was "hateful, prejudicial, and disgraceful." She stated she feels Mr. Smith should recuse himself from voting because of this. She stated Mr. McLaughlin had to get up and leave the meeting, and they had to adjourn the meeting temporarily. Ms. Weyrick stated Mr. Smith is a public servant and should not treat anyone that way. She stated the process last night was a "sham," since some candidates were given an hour and others were given a half hour. Mr. Smith stated Ms. Weyrick had a sign supporting Mr. McNamara during the campaign.

Ms. Donna Doan, 2814 Langhorne-Yardley Road, Langhorne, was present. Ms. Tyler stated the previous time Ms. Doan was present she gave an Edgewood Road address, and now she is giving a Langhorne Road; and she asked Ms. Doan where she lives. Ms. Doan stated the Edgewood Road address is her father's address. Ms. Doan stated she has been from this area her whole life, and asked Ms. Tyler if she wants to make an issue about this; and Ms. Tyler stated she wants to trust what Ms. Doan tells her. Ms. Doan stated she grew up on Edgewood Road. Ms. Tyler asked Ms. Doan where she lives now, and Ms. Doan stated she has told them before she lives in Langhorne. She stated the home on Edgewood Road is her family home, and her father lives there today. Ms. Doan stated she has not lived anywhere other than Bucks County, PA since she was born; and her family has been farming in this area since before the American Revolution. She stated she knows that Ms. Tyler is "not especially a friend of agriculture and preservation." Ms. Tyler stated she needs to know where Ms. Doan lives, and that when she stands up that she is telling the truth. She stated Ms. Doan is asking the Township to partnership with her on a \$750,000 renovation on a piece of property that is the gateway to the entire community. Ms. Doan continued to talk while Ms. Tyler was speaking and was asked by Ms. Tyler to sit down as she was out of order.

Ms. Kathy Hirko, 1450 Dolington Road, stated she feels it is clear that Ms. Tyler has a personal problem with Ms. Doan; however, Ms. Tyler stated Ms. Hirko was mistaken. Ms. Hirko stated there is nothing wrong with the Patterson Farm.com Website being put on the Township Website. Ms. Tyler asked about the fact that it is combined with the change.org petition language that states that the Township has neglected the property. Ms. Hirko stated the Township has neglected the property. Ms. Tyler stated Ms. Hirko began her comments by stating that Ms. Tyler has a personal problem with Ms. Doan; and while she does not, she is concerned when Ms. Doan gives different addresses when she speaks at the podium.

Ms. Hirko stated with regard to the Artists of Yardley having a business plan, part of their plan did not include paying rent to the Township; and if they did, there would be money put back into the Farm. Mr. McLaughlin stated they do provide for the upkeep of the house; however, Ms. Hirko stated she does not feel that they are doing this. Mr. Fedorchak stated they do. Mr. McLaughlin stated this was estimated to be approximately \$25,000 a year; and in lieu of rent, they put money into the house that they occupy. Ms. Hirko stated she does not feel they are putting that kind of money back into the house; however, Mr. McLaughlin, stated the Township Manager who oversees this, feels that they do. Mr. Benedetto stated their Lease is up, and the Artists of Yardley have indicated that they are interested in a long-term Lease. He stated he is very much interested in examining this; and Ms. Hirko stated she sees nothing wrong with that, but she feels they should be paying rent.

Mr. Joe Menard, 917 Putnam Drive, stated there have been several discussions at the Citizens Budget Committee; and although the Committee is not unanimous on all the discussions, he felt it was important to discuss the fact that Lower Makefield Township provides some support services to Yardley Borough. He stated he understands they back up the Police in Yardley Borough, and he feels there should be a Service Agreement with Yardley Borough regarding Police services. He stated Lower Makefield Township has thirty-eight Officers with associated costs to train, arm, and provide uniforms, cars, and gasoline, as well as compensation, health and other benefits. He stated by the way Yardley Borough staffs their Police Department, they avoid some of the costs that the Township provides. Mr. Menard stated because Lower Makefield is providing this, he feels there should be strong negotiations with Yardley as to reimbursements back to the Township.

Mr. McLaughlin stated this point has been raised before, and he feels there is a reliance on Lower Makefield to fill Yardley's gaps. He stated the Police will always come to other Departments' aid. Mr. McLaughlin asked Chief Coluzzi if he feels the level of service that Lower Makefield is being asked to support rises to the level that they need a Service Agreement and if he feels Lower Makefield is being asked to do above and beyond what normally Police units would do to support each other.

Chief Coluzzi he feels this is no different than any other large Township does which surrounds a small Borough on three sides. He stated many of the Township residents use the services of Yardley and are in and out of Yardley Borough constantly. He stated it is not uncommon for the large Township to provide those kinds of services for a Borough that they surround. Chief Coluzzi stated several years ago the Citizens Budget Committee, headed by Ethan Shiller, had lengthy discussions with him; and he had provided all the calls for service and even a cost analysis, and he does not feel that it came to a lot. He stated this is the tradition in policing. He added they are not in the Borough patrolling their area, and they are not doing anything extraordinary other than backing them up when they need back up.

Mr. McLaughlin asked Chief Coluzzi if he feels it has risen to the level where the Township needs to address it, and Chief Coluzzi stated he is comfortable with the situation although he would be willing to discuss it further with the Board if they wish to review the figures; however, he added he has no issue with the situation.

Mr. Menard stated when a Lower Makefield Officer gets a call, responds, and terminates the call, this could be an hour; and the ready-to-serve charge to have that Officer available is not being borne by Yardley Borough.

Mr. Smith asked how many Officers the Borough has; however, Chief Coluzzi was not certain. He stated he knows that they have a Chief, a full-time Officers, and several part-time Officers; however he does not know the exact number. Chief Coluzzi stated they should remember that when Lower Makefield needs traffic control and has special events, they tap into Yardley, and they provide services. Chief Coluzzi stated he does not want to be in the position where he has to start calculating hours and billing back and forth.

Mr. McLaughlin stated while theoretically he feels Mr. Menard is correct, he noted that the number of Lower Makefield residents using Yardley Borough roads is probably more than the number of Yardley residents using those roads.

Mr. Smith stated they just worked out an Agreement with Yardley Borough with regard to sewer issues.

Ms. Tyler stated she read recently that Yardley Borough hired three part-time Police Officers. She noted that Lower Makefield does not have part-time Police Officers and there are huge expenses that go along with that including benefits and pensions. Ms. Tyler asked if this was weighed in when they did the cost break out a number of years ago. Mr. Menard stated at the time they did this, Yardley Borough had one Chief, two full-time Officers, and three part-time Officers. Mr. McLaughlin stated he feels they have more than that, and Mr. Menard stated they could go back and look into this if the Board wants them to look into it deeper. Mr. McLaughlin stated while

he feels it is prudent to watch the expenses, he does not feel Lower Makefield would be sending Yardley Borough a bill for this; although he added a new Board coming in may want to look into this. He stated this Board looked into it previously, and it was not worth impacting their relationship with Yardley.

Mr. Ethan Shiller, 367 Lang Court, member of the Citizens Budget Commission, stated Chief Coluzzi was very amicable to share the information; and the analysis when it was done involved approximately six man days for a total cost of under \$10,000. Mr. McLaughlin stated this is what he recalled, and he did not feel it was worth pursuing.

Ms. Marilyn Huret, Kings Road, member of the Emergency Management Commission, stated they have a Mutual Aid Agreement with all the surrounding communities which was agreed upon at the County level so that each community was not going to be stockpiling or duplicating resources; and they were going to be sharing resources and facilities. She stated if Lower Makefield has something that an adjacent community does not have or vice versa, this is where the Mutual Aid Agreement comes in; but she does not feel that has anything to do with what they are talking about now. Mr. McLaughlin stated in an emergency situation, they would always help their neighbors. Chief Coluzzi stated the Mutual Aid Agreement does require Police Departments to come in and assist as back up to other Police Departments; and if you refuse to do that, every Department around you could shut you down. Ms. Huret stated she does not feel the economic question is valid in the case of safety.

Mr. McLaughlin stated he does feel that Yardley has the obligation to provide an adequate Police Force. Mr. Smith asked Chief Coluzzi if it ever reached the point where the numbers were “out of whack,” would he bring it to the Board’s attention; and Chief Coluzzi stated he would take care of it himself if it got to that point.

Mr. Menard stated it is not the number of hours times an hourly rate, rather it is the ready-to-serve charge; and his opinion is Yardley is not paying their fair share to get that one hour of service from Lower Makefield Township to back up what they do not have.

Ms. Lisa Baxter, Arborlea Avenue, stated with regard to Elcon all they are asking for at this time is to put it on the Agenda and for the Board to write a letter to Falls Township, the Delaware River Basin Commission, Pennsylvania Department of Environmental Protection, and Senators McIlhinney and Santarsiero.

Mr. McLaughlin stated his comment was that he does not feel it is appropriate for an outgoing Supervisor to mandate something to the new Supervisors coming onto the

Board. He stated he feels they all agree that this is a situation that needs to be closely watched, and he added the history of the Township is very strong on issues like this. He stated he feels the new Board will serve the residents well.

Mr. Smith stated he felt that the Township had already sent a letter, and Mr. Fedorchak stated the Township engineer did send a letter. Mr. Smith asked if there is any problem with sending a letter indicating the Townships concern and asking that they be kept apprised about what is going on so that they will be ready to get on top of this issue at the first of the year. Mr. Fedorchak stated they did task Boucher & James to come up with a letter stating their objections from an engineering perspective so they are on record, and he feels that all the State Representatives as well as local communities in the immediate area have done something similar. Mr. Smith stated he was talking about a letter from Mr. Fedorchak. Ms. Tyler stated she has no problem with Lower Makefield Township contacting Falls Township and asking them to keep Lower Makefield apprised, and Mr. Fedorchak agreed to do this.

APPROVAL OF MINUTES OF THE SPECIAL BUDGET MEETING OF NOVEMBER 10, 2015, SPECIAL BUDGET MEETING OF NOVEMBER 16, 2015, AND DECEMBER 2, 2015 PUBLIC MEETING

Mr. Benedetto moved and Mr. Smith seconded to approve the Minutes of the Special Budget Meeting of November 10, 2015 as written. Motion carried with Mr. McLaughlin abstained.

Mr. Benedetto moved and Mr. Smith seconded to approve the Minutes of the Special Budget Meeting of November 16, 2015 as written. Motion carried with Mr. McLaughlin abstained.

Mr. Benedetto moved, Mr. McLaughlin seconded and it was unanimously carried to approve the December 2, 2015 Minutes as written.

DISCUSSION AND APPOINTMENT TO FILL DOBBY DOBSON'S UNEXPIRED TERM

Ms. Tyler stated Mr. Dobson resigned November 29, 2015, and he had two years remaining on his six year term. She stated they conducted Interviews last evening, and they had wonderful applicants; and she stated she is hopeful that the Board can reach an agreement tonight and fill the vacancy.

Mr. Smith stated he understands that this matter is on the Agenda; however, he reviewed past meetings in the past year, and he is not sure that they are proceeding properly. He stated Mr. Dobson resigned by letter on November 29, and it was delivered to the Board the afternoon of November 30. Mr. Benedetto stated he feels it was a Fax that was received on November 29 effective immediately. Mr. Smith stated he has been present through the resignations of three to four Supervisors; and before they could proceed on anything, there had to be a formal acceptance of the resignation. Mr. Smith stated he believes this has to be done before the thirty-day period triggers, and there has never been a formal acceptance of Mr. Dobson's resignation. He stated he has looked at past precedence; and he feels the Minutes are clear that on all those occasions they had to formally accept the resignation.

Mr. Garton stated there is Case Law that is conflicting; but he reminded the Board that when they met on December 2, they basically acknowledged Mr. Dobson's resignation by fixing the schedule for Interviews and proceeding with the process of filling the vacancy so he feels that action, while possibly not a formal acceptance, does constitute an acceptance of the resignation.

Mr. Smith thanked Mr. Garton for that opinion, but added it took three days to get a legal opinion as to whether a Township Ordinance was valid. Mr. Smith stated he still feels that until they have a formal resignation, the thirty-day period does not run. Mr. McLaughlin stated he disagreed, and Ms. Tyler stated she does as well. Mr. Benedetto stated he feels they accepted the resignation, had the interviews, and can make a decision. Mr. Smith stated while they may want to move ahead, they may be possibly inviting themselves to an issue in the future when that Supervisor is appointed and someone may say they did not do it right. Ms. Tyler stated she hopes that will not come to be.

Mr. Benedetto stated of the nine candidates, he felt there was a clear candidate that stood above the rest; although he feels everyone did a tremendous job. He stated Mr. Tom Will interviewed previously, and he feels they need to find a place for him on one of the Township Boards. Mr. Benedetto stated Mr. Scott Fegley did better than he expected and was a Supervisor before, and he was a strong candidate; however, for him the caveat he had that they had to move the meetings from Wednesday to Monday to accommodate his schedule was a non starter. Mr. Benedetto stated Mr. McNamara had a tough time, but he came back and had some good answers and tried to address some things.

Ms. Tyler stated Mr. McNamara was treated horribly last evening and took a lot of abuse during the Election. Ms. Tyler stated no one has the right to take someone's image and put it on a flyer or to defame someone. She stated when someone is running for a position in the Township, they should tell what they can do and not about the other candidate. She stated she feels it is a disgrace how people have been

treated on Facebook and the level of discord. She stated she has never seen anyone as abused by the process as Mr. McNamara was, he did not deserve this, and she is sorry it happened to him.

Mr. Benedetto stated he feels Mr. McNamara acquitted himself well under difficult circumstances. Mr. Benedetto stated he does feel that the questions were going to come out which is what happens when you run for office. Ms. Tyler stated while she agrees, she fought for months to keep the campaign out of the meetings, as this is a place to conduct the business of the Township, and they should not run campaigns here. She stated it created almost insurmountable rifts, and she asked that politics be kept outside.

Mr. Benedetto stated he felt Mr. Scott Ferrante was a strong candidate who had a lot of great ideas, and he feels they should look at him if not now, then in the future as he really loves the Township and has lived here his whole life. Mr. Benedetto stated he felt Mr. Chad Wallace was the best candidate, and he has fresh ideas. He stated Mr. Wallace was the only candidate who sent him a thank you e-mail following the interview which goes to communication which is sorely needed in the Township as well as responsiveness and follow through. Mr. Benedetto stated he also feels Mr. Wallace offered solutions to some of the issues facing the Township, he had a measured approach, and he was objective. Mr. Benedetto stated they cannot thank Ms. Grace Godshalk enough for what she has done for the Township serving for thirty years and still wanting to serve. He stated her frankness was very impressive. Mr. Benedetto stated he felt Mr. David Fritchey was one of the stronger candidates; and while Mr. Fritchey has served the Township for twenty-two years on Park & Rec and is a strong candidate, he feels they need fresh ideas and a new approach. Mr. Benedetto stated Mr. Treiber and Mr. Adrian Costello were in difficult positions because they were interviewed at the end, and he feels the process should have been spread out over two days. Mr. Benedetto stated Mr. Treiber has a strong volunteer record, and he would be a great candidate. Mr. Benedetto stated he knows Mr. Costello well, and he feels he was also a strong candidate. Mr. Benedetto stated he feels they are here to make the best choice for the Township and not just a political choice, and he feels Mr. Wallace is the best choice.

Mr. McLaughlin asked Mr. Benedetto if he contributed to Mr. Wallace's campaign, and Mr. Benedetto stated he did.

Ms. Tyler thanks all of the candidates for applying, and she stated she feels what is most important in being a Supervisor is intelligence and intellect, demeanor, and a demonstrated commitment to the Township; and she feels they are fortunate to have someone of the caliber of Mr. David Fritchey applying. She stated he is a non-partisan person, and she feels Lower Makefield needs a large dose of non-partisanship right now; and he is the candidate she favors.

Mr. McLaughlin stated he had no comment at this time.

Mr. Smith stated he feels when you run for public office you have a duty to come before the Township and present your credentials in an open fashion and participate in a televised forum. Mr. Smith stated he feels Ms. Tyler did everything possible to prevent the transparency and the open airing of issues. Mr. Smith stated there was paperwork regarding Mr. McNamara which he tried to question him about last evening, and Mr. McNamara did not want to hear about it which was his right; however, he feels the Township residents have the right to hear answers to the issues, and not dodging of the issues. Mr. Smith stated it is his job to vet each of the candidates, and when you run for Office your life is an open book. He stated if you do not want to be questioned about your experience and your credentials and your integrity, you should not run.

Mr. Smith stated he felt eight of the nine candidates were great candidates, and he would not mind naming any one of those eight to the position. He stated he felt Mr. Will gave tough answers to serious questions and was not afraid to tell what he felt and what he would do, and he hopes that they will use Mr. Will in some capacity. Mr. Smith stated Mrs. Godshalk and Mr. Fegley have made great contributions to the Township. Mr. Smith stated Mr. Fegley indicated that he could only do the meetings if they were on a Monday night, the reason they changed the meeting to Wednesday was because there were so many canceled meetings due to National holidays. Mr. Smith stated Mr. Fritchey is a man of integrity and has tremendous credentials. Mr. Smith stated Mr. Treiber has a great heart, and he stated Mr. Costello gave them answers that the Board may not want to have heard, and wanted them to take action now to get additional open space. Mr. Smith stated he hopes that Mr. Ferrante is on some Committee since he is not afraid to take on unions, Morrisville, etc. Mr. Smith stated he also sent Mr. Smith an e-mail following the interviews indicating he felt that if he was not chosen, he felt Mr. Wallace should be chosen.

Mr. Smith stated he feels Mr. Wallace has a vision and when it comes to ethics and integrity, he would want him to serve on the Board and represent the Township residents.

Mr. Benedetto stated Mr. McLaughlin left the meeting when Mr. McNamara was being interviewed, and he asked Mr. Garton if Mr. McLaughlin is compelled to recuse himself; and Mr. Garton stated he is not, and the Board was not even required to have interviews. He stated as long as you are a Board member you can vote. Mr. McLaughlin stated when he went home, he did watch the rest of the interviews.

Mr. Benedetto noted an e-mail received by the Board regarding a gap in the audio while Mr. Smith was arguing with a candidate during last night's meeting and indicating they did not feel it was acceptable to censure the audio as Township residents have the right to hear everything that occurs during the meetings.

Ms. Tyler stated when the Chair gavels the meeting, they go off the Record; and that is why Mr. Kelliher cut the audio. Ms. Tyler stated they then took a five minute recess, and that is what is missing. She stated she feels that is the proper way to move forward. Mr. Garton stated if the official meeting is not continuing, they do not have an obligation to keep recording.

Mr. Smith moved that for the future of Lower Makefield Township, he nominates Chad Wallace to serve as an interim Board of Supervisor for the two year remaining term of Dobby Dobson. Mr. Benedetto seconded. Motion did not carry as Mr. Benedetto and Mr. Smith were in favor and Mr. McLaughlin and Ms. Tyler were opposed.

Mr. McLaughlin moved and Ms. Tyler seconded to nominate Dave Fritchey for the appointment to fill Dobby Dobson's unexpired term. Motion did not carry as Mr. McLaughlin and Ms. Tyler were in favor and Mr. Benedetto and Mr. Smith were opposed.

Mr. Benedetto moved and Mr. Smith seconded for Adrian Costello. Motion did not carry as Mr. Benedetto and Mr. Smith were in favor and Mr. McLaughlin and Ms. Tyler were opposed.

Mr. Benedetto moved and Mr. Smith seconded for Scott Ferrante. Motion did not carry as Mr. Benedetto and Mr. Smith were in favor and Mr. McLaughlin and Ms. Tyler were opposed.

Ms. Tyler stated this matter will be referred to the Vacancy Chair. Mr. Garton stated the Vacancy Board Chairman will convene a meeting of the Vacancy Board after the thirty days has expired. Ms. Tyler asked the first available date; and Mr. Garton stated that would be up to the Vacancy Board Chairman to schedule the meeting, and he and Mr. Fedorchak will discuss the numbers and let the Vacancy Board Chairman know. Ms. Tyler asked that Mr. Fedorchak reach out to the Vacancy Chair and make sure that the date is scheduled as soon as possible.

Mr. McLaughlin asked if the Vacancy Board will only consider the nominations that were put forth, and Mr. Garton stated the Vacancy Board can appoint any resident of Lower Makefield Township. Mr. Smith asked who currently sits on the Vacancy Board, and Mr. Garton stated the Board of Supervisors plus the Vacancy Board Chair who is Tim Malloy are the Vacancy Board. Mr. McLaughlin stated he understands that the meeting can occur at any time after December 30, and Mr. Garton agreed.

Mr. McLaughlin asked if it has to be televised, and Mr. Garton stated it does not unless the Board decides they want it televised. Mr. McLaughlin asked if the meeting has to be at a certain time, and Mr. Garton stated there has to be public notice because it is an official meeting. Mr. McLaughlin stated he is asking these questions because of the holidays. Mr. Garton stated it is up to the Vacancy Board Chairman to schedule this meeting and not the Board of Supervisors.

Mr. Benedetto moved and Mr. Smith seconded to have the meeting televised.

Mr. Smith asked how they could not have it televised, and Mr. McLaughlin stated he was concerned that Mr. Kelliher may not be available because he may have plans over the holidays as may others. Ms. Tyler stated hopefully they will be able to televise it; and if they can, they will. Mr. Fedorchak stated they will have it televised.

Mr. Tim Collins stated two of the current Board members are leaving the Board, and two others are coming on; and he asked if the two new Board members get to vote. Ms. Tyler stated they do not. Mr. Smith stated he disagrees, and he feels since they have moved along without accepting a formal resignation, he feels they are inviting litigation because of the steps taken by the Chairperson.

Mr. Benedetto stated he understands that the thirty days expires on December 29 so they have from December 30 to January 13 technically. He stated there could be a meeting January 5 with a new Board and a new Vacancy Chair, and Mr. Garton agreed. Mr. McLaughlin stated the current Vacancy Chair is going to decide when to hold the meeting. Ms. Tyler stated they have December 29, December 30, and December 31, and January 1 to hold the meeting. Ms. Tyler stated Mr. Malloy will determine the date and advise the Township Manager and can contact the Township solicitor if he needs any advice.

Mr. Benedetto stated he understands it can be anybody that is put forth, and it does not have to be one of the nine candidates; and Mr. Garton stated it can be any qualified Elector of Lower Makefield Township.

Mr. Ethan Shiller stated they still have thirty days where the current Board could try to set up meetings to fulfill and discuss this more, and it is after thirty days when Mr. Malloy can react. Ms. Tyler stated she feels it is evident that the Board will not reach a resolution on this matter although they do have thirty days from Mr. Dobson's resignation of November 29; and if the Board does not fill it, that is when the Vacancy Chair begins jurisdiction. Mr. Garton stated the Board could schedule another meeting and attempt to affect an appointment before the Vacancy Board would come into play. Mr. Shiller stated normally when you appoint someone, that appointment has to be approved by a majority of the Supervisors.

Mr. Shiller stated he understands that the Vacancy Chair gets to appoint the vacancy for Supervisor, but the Board has to approve it. Mr. Garton stated it would take three of the five members of the Vacancy Board, which consists of the Chairman of the Vacancy Board and the four Supervisors, to appoint.

Mr. Smith stated none of this comes into play until the thirty days has run, and Mr. Garton agreed. Mr. Smith stated while they could informally schedule a meeting, they really cannot schedule the meeting until the thirty days has expired; however, Mr. Garton stated they can schedule it in anticipation although you do not have to.

Mr. McLaughlin asked for a five minute recess. Mr. Benedetto stated before they take a recess, he would like to note that this happened four years ago, and he had a problem with it. He stated he does not want to have any discussions as they have made their vote, and their vote is clear. He stated four years ago this happened, and it is not going to happen tonight. He stated they had the vote and it was two to two, and there is not allowed to be a discussion regarding this vote. Mr. McLaughlin stated the Board is allowed to go to Executive Session, and Mr. Benedetto stated they are not to have a discussion around this. Mr. Garton stated three members of the Board cannot meet to discuss this topic although two could. Mr. Garton stated it is not an Executive Session if there are only two Board members; however, Mr. Benedetto stated Mr. McLaughlin indicated that they were going into Executive Session. Mr. Garton stated initially Mr. McLaughlin indicated that he wanted a recess. Mr. Benedetto stated there was vote four years ago in December when Ms. Tyler got on the Board, and it happened exactly like this; and he will not participate in this.

Mr. McLaughlin stated he is asking his colleagues to do the right thing since it is the Board's responsibility to fill the vacancy, and they were elected to make decisions. He stated Mr. Fritchey has been Chairman of the Park & Recreation Board for almost twenty-five years, and it is unheard of for a person to keep getting re-elected as Chairman of one of the most important Committees. Mr. McLaughlin stated Mr. Fritchey is non-partisan; and while he is a Republican, he is not active in terms of politics or championing candidates. He stated the Board needs calm and someone who knows the Township and understands it. He stated Mr. Fritchey has demonstrated leadership and absolute calm, and he runs a "very tight ship." Mr. McLaughlin stated he feels Park & Recreation is one of their best Committees.

Mr. McLaughlin moved to nominate Dave Fritchey to fill the appointment for Dobby Dobson's unexpired term.

Mr. Benedetto stated he feels the Motion is out of order, and they have already had a vote which was two to two. Mr. Benedetto stated four years ago he was in the audience, and the Board went into Executive Session to discuss a Personnel matter.

Mr. Benedetto stated he met with Mr. Stainthorpe in December, and told him that he broke the Sunshine Act, and he was going to bring this up that December that they broke the Sunshine Act to appoint Ms. Tyler. Mr. Benedetto stated he had a discussion with Mr. McLaughlin who advised him that they went to the “nuclear option,” because they did not want the Democrats to put someone on the Board to replace Matt Maloney. Mr. Benedetto stated the Democrats had the votes in that situation, and they could have gone to the Vacancy Chair just as the Board is doing right now, and the Vacancy Chair would have appointed a Democrat; and instead it went to Ms. Tyler which was wrong then and it is wrong now. Mr. McLaughlin stated it is the Board’s decision to make. Mr. Benedetto stated they could not come to a decision because it is two to two. Mr. McLaughlin asked Mr. Garton if he is allowed to make another Motion, and Mr. Garton stated he is.

Mr. McLaughlin moved to appoint Dave Fritchey to Dobby Dobson’s unexpired term, and he pleaded with his colleagues to Second that so that they can move on and bring civility back. He stated this is the right decision, and it is not a political decision which would be to let it go to the Vacancy Board as they have the votes since the Vacancy Board Chair is a Republican and he will make the vote. Mr. McLaughlin asked that the Board get this done tonight.

Mr. Smith asked for a five minute recess adding he does not want to go into Executive Session. Ms. Tyler called for a five minute recess.

Ms. Tyler called the meeting back to order. Ms. Tyler stated she and Mr. Smith had a discussion. She stated they have a long history together, and they used to treat each other with kindness, respect, and friendship although the last few months have been their “lowest moments.” Ms. Tyler stated in the spirit of cooperation and kindness, she asked Mr. Smith that they move forward as friends again.

Mr. Smith stated he and Ms. Tyler go back five years and ran together as Independents for the Board of Supervisors, and lost as it is very difficult to run as a third party. He stated they campaigned together for more than six months and spent significant time together. He stated he has the highest respect for the Board members who, while they have differences of opinion, have the highest integrity although they have had disagreements. Mr. Smith apologized to Ms. Tyler for the last year, and he hopes the Township will move on as they should to serve as good public servants to the residents of the Township. Ms. Tyler agreed and stated she apologizes to Mr. Smith if he felt mistreated by her actions as well.

Mr. McLaughlin moved and Ms. Tyler seconded to appoint Dave Fritchey to the unexpired term of Dobby Dobson.

Mr. Smith stated he indicated earlier that a set group of people were excellent candidates in this Township, and the Township would be well served by almost every one of them. He stated he had Seconded the nomination of Chad Wallace, Adrian Costello and Scott Ferrante earlier this evening; however, he had also discussed Dave Fritchey. Mr. Smith stated he served with Mr. Fritchey for almost ten years on the Park & Recreation Board. He stated sometimes Mr. Fritchey can be a little “dismissive,” and while he is a Republican, you would not know it. Mr. Smith stated Mr. Fritchey was also one of the elite prosecutors for the United States District Court of Eastern Pennsylvania and was on the Strike Force, and you do not get to that position unless you are one of the elite and you are an individual of integrity. Mr. Smith stated he also saw the work he has done on the Park & Rec Board; and although he did not agree with him on everything, he feels he is an individual of integrity and impeccable credentials. Mr. Smith stated he feels Mr. Fritchey can serve with the current remaining Board members but also with the two new Board members coming on adding Mr. Fritchey had worked with Ms. Reiss on the Garden of Reflection. Mr. Smith stated he feels the Township would be well served by all the people he voted for earlier, but also by Mr. Fritchey.

Mr. Benedetto stated he felt Mr. Fritchey was among the better candidates, although he felt there were better candidates. Mr. Benedetto stated he feels what happened tonight has been poorly handled, and it happened like this four years ago; and it was wrong then, and it is wrong now. He stated with regard to Mr. Fritchey’s interview, he feels he gave some very good answers; but when he was pressed on certain issues, he feels there were some fatal flaws. Mr. Benedetto stated Mr. Smith just indicated that Mr. Fritchey can be a little “dismissive;” and Mr. Benedetto stated he feels this is the last thing they need on the Board of Supervisors because they have been doing this too much to the public. Mr. Benedetto stated he asked Mr. Fritchey a question about the tennis courts at Revere Road, and he said the courts would be better served to be moved to Memorial Park even though the residents of Yardley Hunt indicated they wanted the tennis courts at Revere Road. Mr. Benedetto stated he does not feel that this is serving the public, and it is putting what you want above people who have shown up at a meeting and expressed an interest.

Mr. Benedetto stated he also asked Mr. Fritchey questions about the Garden of Reflection and at the meeting in August, Mr. Fritchey was dismissive of him and of Ms. Saracini; and he was not interested in transparency to provide information about the maintenance funds for the Garden of Reflection. Mr. Benedetto stated Ms. Saracini took the money out in May of 2011 to set up her own perpetual fund because she did not trust the accounting of the Township maintenance funds. Mr. Benedetto stated the same thing happened with the Veterans Committee.

Mr. Benedetto he wants someone who is going to challenge the Township. He stated the EAC challenges the Board, and this is what he expects from those on the Advisory Boards. Mr. Benedetto stated Dave Fritchey has remained on the Park & Recreation Board for twenty-two years, but he does not challenge the Board of Supervisors. He stated the Snipes Tract was another perfect example, and Mr. Fritchey sat there and knew it was wrong and did not like it; but he did not challenge the Supervisors who put the leaf-composting facility there.

Mr. Benedetto stated while he agrees that Dave Fritchey has served the Township well for twenty-two years, he does not feel this is the direction that the Township needs to go. He stated the Board already voted on this, and it was two to two; and he stated nothing has changed about Dave Fritchey; and while he was a good candidate, he was not the best candidate. Mr. Benedetto stated they are here to pick the best person, and the best person is Chad Wallace. Mr. Benedetto stated he feels the Vacancy Chair should make his decision; and when they have time to reflect on this, they may find that there is someone who is even a better choice who has not yet been identified. Mr. Benedetto stated a resident was brought to their attention from Carroll Engineering who could help with the sewer. He stated they have nine candidates and could not come to a decision, and now they are going back, and this was poorly handled.

Mr. Smith stated he agrees that Mr. Wallace is a great person; but he also feels that if they can, they should keep this from going to the Vacancy Chair. He stated he would like to keep this as non-partisan as possible which is why he is leaning in this direction.

Mr. Benedetto stated Chad Wallace is a Republican. He stated Mr. Malloy has only one vote, and they can also pick anyone and do have to limit themselves to just the nine people. He stated he feels they could open this up, and they would have fifteen days when other people could come “out of the woodwork.” Mr. McLaughlin asked why they did not come forward already, and Mr. Benedetto stated they had a window of approximately one week. Mr. Benedetto stated Mr. Larry Wynn did send an e-mail and suggested that they consider Gregory Hucklebridge. Mr. Fedorchak stated that was just a day or two ago. Mr. Benedetto agreed that he was late in applying. Mr. Benedetto noted the e-mail dated December 15 outlining Mr. Hucklebridge’s credentials. Ms. Tyler suggested they consider him for the Sewer Authority. Mr. Fedorchak stated he did respond to Mr. Wynn indicating Mr. Hucklebridge would be perfect for the Sewer Authority adding that the Authority’s long-time Chairman, Dick Gauck, has resigned.

Motion to appoint Mr. Fritchey carried with Mr. Benedetto opposed.

APPROVAL OF DECEMBER 7, 2015 WARRANT LISTS AND NOVEMBER, 2015 PAYROLL

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to approve the December 7, 2015 Warrant Lists and November, 2015 Payroll as attached to the Minutes.

APPROVAL OF RESOLUTION NO. 2295 FIXING THE TAX RATES AND SPECIAL LEVIES AND ADOPTING THE 2016 BUDGET

Mr. McLaughlin moved and Mr. Benedetto seconded to approve Resolution No. 2295.

Mr. Benedetto stated the tax rate will go up from 15.12 to 15.16 and Mr. Fedorchak agreed. Mr. Fedorchak stated the purpose of the .04 increase is to add to the Hydrant Fund which has been running a deficit for a few years, and this will get it back to a balanced state.

Mr. Smith stated he is very concerned about the sewers and recognizes that this will be an issue for the future Board. He stated he hopes they have done the right thing in the amount they are putting on for the sewers. He stated they just received a message today from Mr. Fedorchak that Morrisville indicated that they are going to need a \$30 million transfusion immediately. Mr. Fedorchak stated the Township's engineer from Tri-State, Wes Plaisted, has attended a few meetings with the Morrisville engineers, and Mr. Plaisted has been doing a good job of getting more familiar with what has been going on. Mr. Fedorchak stated Mr. Plaisted has provided his thoughts as to what might possibly happen next; and there are a number of projects that he believes there is a high probability that DEP may require of Morrisville, and those projects could total as much as \$30 million. Mr. Fedorchak stated while this will not happen in the next year, it could be in the next three to six years. Mr. Fedorchak stated \$30 million over the next six years would be \$6 million a year. Mr. Fedorchak stated DEP has called for a meeting next Wednesday in Morrisville, and Lower Makefield, Falls, and Yardley Borough have also been invited so the Township will be represented. Mr. Fedorchak stated they will see what DEP wants to see in the short term and in the long term.

Mr. Smith stated in two years there will be another Municipal Election, and they will blame whoever is in power for the sewer issue. He stated this is something that has been going on for some time, and he hopes that this does not become a "political football." He stated whatever vote is made to correct the problem, he hopes that the people recognize that it was done for the Township residents.

Motion carried unanimously.

APPROVAL OF RESOLUTION NO. 2296 ESTABLISHING THE 2016
PARK & RECREATION FEE-IN-LIEU

Mr. McLaughlin moved and Mr. Smith seconded to Approve Resolution No. 2296.

Mr. Benedetto asked for an explanation; and Mr. Garton stated under the Subdivision and Land Development Ordinance, new developments are required, if they do not provide on-lot recreation, to provide a Fee-In-Lieu. Mr. Garton stated the Municipalities Planning Code includes a provision that this can be increased annually based upon an analysis, and there will be a small increase which will only apply to new Applications and not existing Applications. Mr. Benedetto asked what would be the dollar amount increase, and Mr. Eisold stated it is based on the CPI increase which could be approximately 2% to 2 ½%.

Motion carried unanimously.

APPROVAL OF RESOLUTION NO. 2297 ESTABLISHING THE 2016 TRAFFIC IMPACT
FEE

Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to Approve Resolution No. 2297.

APPROVAL OF RESOLUTION NO. 2298 ESTABLISHING THE 2016 SEWER RENTAL
RATES

Mr. Smith moved and Mr. Benedetto seconded to Approve Resolution No. 2298.

Mr. McLaughlin stated they are increasing this by 10%. Mr. Benedetto stated this increase is not because of the pending Morrisville plant issue, but is to maintain a healthy fund balance in the Sewer Fund. Mr. McLaughlin stated they have not had an increase in five years, and he feels this is really a rental rate and not a tax; and it needs to follow the cost of doing the business of sewer. He stated the costs to the Township increase every year as those working for the sewer get raises and the costs of materials go up, and he feels they should probably base it every year on what the increase was to the Township.

Motion carried unanimously.

APPROVAL OF EXTENSIONS TO ARIA HEALTH, FIELDSTONE AT LOWER MAKEFIELD, AND DOGWOOD DRIVE

Mr. Garton stated with regard to Aria Health and their Land Development Application, Mr. Benedetto was appointed as the liaison to discuss this matter with RAFR and with Aria; but Aria is involved in merger talks so they are on hiatus until that is concluded. Mr. Garton stated with regard to Fieldstone, Mr. Kaplan called him and indicated he will be appearing before the new Board in January or February with a new Plan. With regard to Dogwood Drive, they were waiting for the sewer issues in Yardley to be resolved.

Mr. McLaughlin moved to approve the following Extensions:

Aria Health	- 6/30/16
Fieldstone at Lower Makefield	- 6/30/16
Dogwood Drive	- 6/30/16

Ms. Marilyn Huret stated she does not feel the Board should consider any additional developments and sewer hook ups until the sewer issues with the existing residents have been resolved. She stated the developers should pay their fair share to insure that they are going to have enough money to handle the developments or they will be “awash in sewage.”

Mr. Benedetto seconded the Motion, and the Motion carried unanimously.

DISCUSSION AND APPROVAL OF DEVELOPMENT AGREEMENT AND FINANCIAL SECURITY AGREEMENT FOR REGENCY AT YARDLEY SOUTH PARCEL RESIDENTIAL DEVELOPMENT PHASES I AND II

Mr. Garton stated this matter was held up pending the Board’s discussion regarding the tennis courts. Mr. Fedorchak stated he had reported that Toll Bros. had offered the Township \$40,000 for the reconstruction of at least two of the courts at Revere Road. He stated he had tasked the Park & Rec foreman to look into this and determine if the Township were to reconstruct the courts what it would cost, and the number they have come up with is approximately \$40,000 for two courts.

Mr. Benedetto stated he understands they would not reconstruct the court which had the most debris under it, and Mr. Fedorchak agreed. Mr. Benedetto stated he feels what is proposed is a good solution.

Ms. Judi Reiss, 969 Princess Drive, stated she likes that they will hold Toll Bros. a little bit accountable but where they bury debris is not going to get better, and that debris will rot. She stated they are asking them for \$40,000 just to fix the two courts and not where the problem is the worst, and she does not feel they are asking them for enough. She stated this is Toll Bros. that has come into the community over the past forty years and run “roughshod” over those who have lived here for forty years. She stated she feels they should include that they clean up the mess they buried and repair the area although it does not have to be more tennis courts.

Mr. Fedorchak stated Toll Bros. has already removed all the debris. Ms. Reiss stated they should repair the whole area. Mr. McLaughlin stated even though the debris has been removed, it is still unsettled; and there is no confidence that it will not move. Mr. Fedorchak stated it is not a function of the fact that there is more debris underneath the area as they have had the Township engineer’s inspectors there throughout the two years where there were five different locations where it was discovered construction debris had been landfilled, and one of these locations was under a piece of the four tennis courts. He stated the Township engineers have assured them that Toll Bros. has done the right thing up to this point in time when it comes to having removed all of the debris that was there, and they have transported it and disposed of it at a qualified disposal site.

Ms. Reiss stated her concern is that they are going to fix two courts, but there are two other courts; and she asked what they will do with the rest of the property. Mr. Fedorchak stated the idea is to completely renovate two of the courts with a brand new fence, and they will slice off the remaining two courts. They will remove all of the leftover blacktop from those two courts, dispose of it, and grade and reseed it and possibly put in a few picnic tables there. Ms. Reiss asked if \$40,000 enough to cover all of this, and Mr. Fedorchak stated the staff has indicated \$40,000 should be sufficient assuming the Township will be involved in doing some of the work. Mr. Benedetto asked about the timeframe; however, Mr. Fedorchak stated he has not gotten that far.

Ms. Tyler stated if Mr. Lewis and Ms. Reiss would like them to hold off on this, she does not feel there would be an objection.

Mr. John Lewis, 1550 Surreybrook Court, stated there was an issue with sewage associated with properties adjoining Regency; and he asked if that was resolved. Mr. Fedorchak stated there was an issue with a well, and it was taken care of. Mr. Lewis asked about the payments due the Township from Regency, and Mr. Fedorchak stated there will be four still coming in. Mr. Lewis stated he would defer to the current Board’s judgment with regard to the issue under discussion.

Mr. McLaughlin moved, Mr. Benedetto seconded, and it was unanimously carried to Approve the Development and Financial Security Agreements.

DISCUSSION AND APPROVE OF FREEMAN’S FARM AGREEMENT WITH TOLL BROTHERS AND APPROVAL OF AGREEMENT WITH FLOWERS FIELD

Mr. Garton stated these two Agreements should actually be called “Builder Agreements” since Cam Troilo in Edgewood is doing the improvements, but DeLuca is building the houses; and at Freeman’s Farm, Erin Development is doing the improvements, but Toll Bros. is building the houses. Mr. Garton stated these two Agreements are Builder Agreements that have been requested by the Code Department and the Township engineer which impose on those two entities the obligations to comply with all Township Codes, the inspection process, the Certificate of Occupancy process, and the on-lot draining requirements. He stated this requires them to post money so that the Township can be assured that the actual home builder is meeting the requirements that are imposed on developers; but because they are not doing the public improvements, they did not execute a Development Agreement. He stated these two Agreements are intended to bind DeLuca and Toll to the on-lot building construction component of the two developments.

Mr. McLaughlin moved, Mr. Benedetto seconded an it was unanimously carried to Approve the Agreements for Freeman’s Farm and Flowers Field.

ZONING HEARING BOARD MATTERS

Mr. Garton stated it appears that the Pennsbury School District Appeal for Variances for the Pennsbury Middle School Campus bounded by Makefield Road, Big Oak Road, Derbyshire Road, and Roelofs Road in order to permit modifications to existing parking lots and driveways is being done for student safety.

Mr. Benedetto stated he believes that Josh Waldorf is their School District liaison, and it would be interesting to get his opinion. Ms. Tyler stated she looked at the Plan, and the one component they should consider is their intent with regard to the bus-only lane.

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried that the Township participate.

SUPERVISORS REPORTS

Ms. Tyler thanked the Pennsylvania American Water Company for re-painting the water tower and including a decal identifying Lower Makefield Township.

Mr. Benedetto stated at their meeting on December 9, the EAC discussed the Citizens Climate Lobby and one of their speakers was interested in coming to a future Board meeting. Mr. Benedetto stated the EAC also discussed their concerns with Elcon and had a discussion about the threat in nearby Townships from the emerald ash borer beetle, adding the Township should be proactively addressing this.

Mr. Smith stated it was a pleasure to serve as Liaison to the Economic Development Commission, Electronic Media, Golf Committee, and the Veterans Committee.

DISCUSSION AND AWARD OF BID FOR AVANT MODEL 640 COMPACT WHEEL LOADER

Mr. Fedorchak stated the staff has recommended purchase of this piece of equipment in the amount of \$80,021.19. He stated the primary use would be for Park & Rec to be able to plow snow on the bike paths as the current piece of equipment they use is approximately twenty to twenty-five years old. He stated in addition the way the equipment is designed, you can attach various accessories to the front; and it can then be used for a number of other small projects.

Mr. Fedorchak stated they will finance this out of the Park & Rec Fee-In-Lieu Fund.

Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to award the Bid as discussed by Mr. Fedorchak.

UPDATE ON SEARCH FOR DIRECTOR OF PUBLIC WORKS

Mr. Fedorchak stated in late October there were three candidates which were available for the Board; but in light of the Election and other issues, it was put on the “back-burner.” Mr. Fedorchak stated he is still ready to make recommendations although he will have to re-visit some of these names to make sure that they are still interested, and he will then bring it up before the new Board.

Ms. Tyler agreed that they should wait so that Mr. Lewis and Ms. Reiss can have input. She also congratulated the Township on getting through the leaf collection season, and Mr. Fedorchak stated Public Works did a great job.

APPOINTMENTS

Mr. McLaughlin stated he feels Mr. Benedetto made an excellent point regarding Mr. Tom Will serving in some capacity. Mr. McLaughlin stated there is an opening on the Sewer Authority, there will be an opening on Park & Rec, and Mr. Benedetto stated there will also be an opening on the EAC. Mr. McLaughlin stated he would like to appoint some of those who interviewed for Supervisor to some of the other Committees.

Mr. Wallace was present and was asked where he would like to serve, and he stated he would like to serve on the Park & Recreation Board.

Mr. McLaughlin moved, Mr. Benedetto seconded and it was unanimously carried to appoint Mr. Chad Wallace to the Park & Recreation Board.

Mr. Scott Ferrante, 2205 Brookhaven Drive, was present and stated he would like to serve on the Sewer Authority.

Mr. McLaughlin moved, Mr. Tyler seconded and it was unanimously carried to appoint Mr. Scott Ferrante to the Sewer Authority.

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to appoint Mr. Tom Will to the Citizens Budget Committee.

OTHER BUSINESS

Mr. Smith thanked the Board for appointing him in late January to serve the one year term, and he wished the new Board the best of luck. Mr. Smith stated he hopes that he made it a better place than the day when he was appointed. He complimented the Board members on the special events which were held as they brought back a new version of Community Pride Day, and he hopes the new Board will move ahead with some other events. He stated they also brought back the Township Newsletter, started a Twitter account, and they will be re-working the Web over the next few months.

Mr. McLaughlin thanked Mr. Fedorchak for being a great Township Manager and friend and the Chief for doing an amazing job under the hardest conditions. He also thanked Mr. Stainthorpe and Mr. Caiola and all those who serve on the Board of Supervisors. He also thanked the residents who challenge the Board because they love their Township. He stated this has been the best Civics lesson he has ever had , and the amazing thing is the peaceful transfer of power which they

should cherish this as this is what makes our Country special even at the lowest level of Government. Mr. McLaughlin wished good luck to Mr. Lewis and Ms. Reiss adding he feels they will do a great job. He stated serving as Supervisor has been a pleasure.

Ms. Tyler asked that Mr. Fedorchak get the dates for the Sewer meeting to Mr. Lewis, Ms. Reiss, and Mr. Fritchey as well as the Norristown meeting and the DARE Graduation date. Ms. Tyler wished the Township residents happy holidays.

There being no further business, Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 10:00 p.m.

Respectfully Submitted,

Jeff Benedetto, Secretary