

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – JUNE 1, 2016

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on June 1, 2016. Chairman Benedetto called the meeting to order at 7:35 p.m. and called the Roll.

Those present:

Board of Supervisors:                    Jeff Benedetto, Chairman  
    John B. Lewis, Vice Chairman  
    Kristin Tyler, Secretary  
    Judi Reiss, Treasurer  
    David Fritchey, Supervisor

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

PUBLIC COMMENT

Mr. Tom Conoscenti, Gingko Lane, stated he is a representative of his neighborhood group, Concerned Neighbors of Patterson Farm. Mr. Conoscenti stated at a prior meeting Ms. Lynn Bush was present and was instructed to work on expanding the coverage of the Open Space Easement at Patterson Farm, and he asked for an update. He stated his understanding was that they were trying to get at much coverage as possible. Mr. Benedetto stated currently there are approximately 150 acres which are not currently Deed Restricted, and the Board is interested in having Bucks County Planning Commission be a part of that process. Mr. Fedorchak stated Ms. Bush was going to get back to the Township with some examples of Conservation language, and he will contact her for an update. Ms. Tyler stated there were some concerns about restrictive language.

Mr. Conoscenti asked if the Easement was going to be inclusive of the subdivided five acres. Ms. Tyler stated she believes that Ms. Bush indicated it would not include any buildings so she feels it would be outside of the Easement.

Mr. Lewis stated he would support immediate Deed Restrictions on everything except that property which is still in litigation. He thanked the members of Mr. Conoscenti's community for standing up for the Township and investing money to protect the Township and their neighborhood.

Mr. Conoscenti stated the Board had instructed the prior Solicitor to resolve the Court case as quickly as possible, and that did not happen last September. Mr. Conoscenti stated there is now a new Solicitor, and he asked if it is the Board's instruction to the Solicitor to try to resolve this. Mr. Benedetto stated the Board discussed this in Executive Session, and they are going to take this under advisement; and they will probably make the decision at the June 15 meeting as to who should enter an appearance.

Mr. Conoscenti stated he understands the Judge has not issued the Briefing schedule, and Mr. Truelove agreed that does take a while. Mr. Truelove stated whoever is selected by the Township will enter their appearance at that point. He stated a Briefing schedule will be issued by the Commonwealth Court which will take some time. He stated Dr. Bentz will go first, and her counsel will file their Brief; and at that point, it will be the Township's responsibility to file a responsive Brief. He stated months will go by before the Commonwealth Court will either hear the argument or make a decision.

Mr. Fritchey stated assuming the Township is successful at the Commonwealth Court, the other Party still has the right to petition to the Pennsylvania Supreme Court. He stated he feels the process could take another two years if the other Party wishes to pursue her legal rights.

Mr. Lewis stated he understands Mr. Conoscenti serves on the Economic Development Commission, and they are currently in the process of doing the survey on business attitudes within Lower Makefield Township; and he asked how many completed surveys there are so far. Mr. Conoscenti stated they have between eight-five and ninety as of today, and this includes the hard copies returned to the Township and those completed on-line. He stated they are trying to get all the responses by June 18. He stated the information they received last year was very good, and they hope to replicate that. He stated they understand that it is the Commission's goal to advise the Board of Supervisors on matters of economic interest. He stated they hope to present their findings and recommendations to the Board in September or October. Mr. Conoscenti stated there is a link to the survey on the Township Website, and they would ask businesses who have not completed it to go to that site adding it takes only about ten minutes to complete.

Mr. Adrian Costello, 2122 N. Crescent Boulevard, stated he would strongly recommend that Mr. Garton not be involved at all in the Satterthwaite proceedings since he "failed us miserably." He stated he would also like the Board to consider never using that firm again or at least for a certain amount of time. Ms. Tyler stated Jeff Garton has been working for the Township since 1980, and he is one of the best

Municipal lawyers out there. She stated she feels Mr. Garton handled Satterthwaite very well. She stated she feels it would be foolish to retain another firm to “reinvent the wheel” on Briefs that have already been drafted. Mr. Costello stated he feels Mr. Garton on his own volition took a different course of action than what he was directed to do which he does not feel was in his purview to do.

Mr. Doug Uhlmann, 206 Arborlea, stated he feels the Township Website needs to be updated as there is still information on it about the Elcon meeting from February; and he feels it should not be on there since it was not the presentation that was actually viewed at the Township meeting, rather it was a previous presentation and there were differences in the information that was presented. He stated he feels it could be perceived to be biased that the Township is still hosting it. Mr. Uhlmann stated it is on the News and Events page.

Ms. Christine Tentilucci, 1014 Lafayette Drive, asked for a follow-up about the situation regarding the removal of the buffer between her home and the Scammel Corners development. She stated the buffer was illegally cleared in March, and she would like to know what the plan is for replacement. Mr. Benedetto stated there was a plan, and Mr. Dresser had asked if he could forward that to Ms. Tentilucci; however, Ms. Tentilucci stated she has not received anything. Mr. Benedetto stated they will forward her the updated plan which was received this afternoon.

Mr. Eisold stated there is a new planting plan which was sent to the EAC who provided their comments; and most recently there were some slight modifications to the plan. Mr. Eisold stated the property owner is in full agreement, and he is willing to plant the buffer plantings. Mr. Eisold stated the second part has to do with the tree replacement issue; and since they cannot fit all the trees in the buffer, they are also going to pay a fee for taking down the trees. He stated the property owner had indicated that the trees were dying; however, Mr. Eisold stated that was not the case, and they were on the site and had looked at the stumps they had cut off, and there was very little evidence of any deterioration for most of the trees that were taken down. He stated they are in discussion with the property owner as to what the value is that he needs to pay in response to the tree replacement issue.

Mr. Benedetto stated the Board saw the photos and what happened was “atrocious.” Ms. Reiss stated she knows that Ms. Tentilucci’s privacy has been impacted, but she feels it is better to plant in the fall even though she would like to see it happen sooner.

Ms. Tentilucci stated while there is a sense of urgency, she would rather take the time to make sure the plan is correct and to the full extent of the law. She stated she knows that the EAC created a plan based on the Township's Tree Replacement Policy, and she would like to know if that has been reduced.

Mr. Lewis stated he feels almost all the Board wanted this enforced to the maximum extent of the law. He stated they did send out a letter to the property owner going through the violations of the law and the fees associated with it. He stated he wishes that this could be a faster process, but they have to abide by due process. He stated he believes the fine in the letter was close to \$9,000.

Mr. Alan Dresser, 105 E. Ferry Road, Environmental Advisory Council, stated he saw two plans one was the EAC plan in the May 2 memo, and the second was the May 31 plan of Boucher & James of the Class II Buffer which had a lot of trees and bushes but not as many as the EAC Plan. Mr. Eisold stated they did reduce the shrubs. He stated they met with the resident, and the concern was that there were so many shrubs that they were not going to thrive. He stated the Boucher & James Plan had almost half as many shrubs as proposed by the EAC.

Ms. Tyler advised Ms. Tentilucci that the Township engineer, the EAC, and the enforcement arm of the Township are all working on this; and they will find a solution. She stated they will provide her with whatever information they have.

Mr. Eisold asked if the tree branch that fell down was removed, and Ms. Tentilucci stated it was. He asked about the tree that was in poor condition, and Ms. Tentilucci stated that was also removed.

Mr. Benedetto stated he feels they need to move forward on this as quickly as possible since it is now June. Ms. Tentilucci stated she is hoping that they are not going to negotiate this down to a smaller amount of plantings just to get it moving along; and she would rather wait and get it done right. Ms. Tyler stated between the Township engineer and the EAC, they will agree on the appropriate number. Mr. Eisold stated they are still working on the dollar amount to be paid since they are not in agreement that all of those trees were in poor condition.

Ms. Tentilucci asked if the law requires the Township to notify all the surrounding residents about what will happen there and how it will be resolved. Mr. Truelove stated there are no specific MPC requirements to mandate that like there is when there is a Zoning matter. Ms. Tyler stated if any of the surrounding neighbors are interested in seeing the communications, they should contact the Township Manager. Ms. Tentilucci stated she feels it would be helpful for everyone to know what is permitted and what is not. Mr. Benedetto stated the Agreement that the property owners signed states that they are not to disturb the buffer, and now two homeowners have done so.

Mr. George Baxter, 208 Arborlea Avenue, stated Arborlea is on the list of roads to be paved. He presented photographs of the road this evening which show what the road looked like before it was paved in 2001, so there are more surfaces on top of that. He stated at this point there is probably between 12" to 14" of macadam which is how much the road has been built up over its lifetime. He stated the water issue is not insignificant. He stated milling was shown as part of the budgeted cost for the road, but he questions how much milling is actually going to be done.

Mr. Eisold stated the Bid as it was put out included milling 1 ½" of the material off and then replacing 1 ½" which makes it basically where it was. He stated given the situation he is showing, they will look into this; and they can always mill out more if there is an issue. Mr. Eisold agreed to make sure everything is adjusted with regard to the final road surface, inlets, manholes, etc.

Mr. Benedetto asked about the timeframe for the road program and notification to the residents. Mr. Eisold stated there was a pre-construction meeting today with the contractor to review the project. He stated they are looking to issue the Notice to Proceed approximately June 13, and they have sixty days plus a few additional weeks for the Alternate work which was not included in the original timeframe. He stated the contractor will be providing a schedule, and he believes that they will start work in the southern part of the Township and work their way to the north. He stated they do have to do some handicap ramp repairs and some adjustments before they pave. He stated they will put signs out a week to two weeks ahead of time to let the residents know when they will be there so that no one parks in the street.

Mr. Benedetto asked if they are also including the Revere Road tennis courts, and Mr. Eisold stated that was part of the add-on as well as paving at Memorial Park.

#### APPROVAL OF MINUTES

Ms. Tyler moved, Mr. Lewis seconded and it was unanimously carried to approve the Minutes of May 18, 2016 as written.

#### DISCUSSION AND APPROVAL OF BOND ISSUE FOR CAPITAL IMPROVEMENTS

Mr. Gordon Walker and Mr. Jamie Schlesinger were present. Mr. Walker stated they discussed the refinancing on April 20, and they would like to discuss tonight the new money needs so that if the Township wants to add money, they could combine everything into one issue in order to save on costs.

Mr. Walker noted the hand out they have provided this evening shows on Page #1 that the market is still very good, and rates are very low. He stated for tonight's purposes they have shown \$15 million of new money with different repayment options, one of which is a twenty year term; and with today's rate of approximately 2.38% the payment would be approximately \$942,000 a year. He stated if they want to go longer and pay more interest, they have shown a cost of \$813,000 a year at a rate of approximately 2.56%. He stated they have also shown a \$20 million option again with a twenty year option and a twenty-five year option.

Mr. Walker stated the next step in the process is to go to Moody's to get the rating re-affirmed. He stated while they cannot go to them with a large range in what the borrowing will be, if the Township were to decide on \$15 million they could probably go from \$13 million to \$17 million. Mr. Walker stated they would hold off the sale and the rating process until they have a number from the Township, but noted it does make sense to combine it into one issue. Mr. Walker stated it would be \$7.2 million plus whatever the new money is in one issue.

Mr. Walker stated they showed a 9/1 closing for tonight's purposes, and it does not have to be on that date; however, for a 9/1 closing, that would contemplate a sale in early August because it takes thirty days to close. He stated the Board would need to make a decision thirty to forty-five days before that on how much new money they want so that they have time to do the rating and legal work.

Ms. Reiss stated she feels they have to do the Community Center and roads need to be improved. She stated Public Works also has a list of things that are necessary. She stated they are looking at doing the Snipes Tract and the Dog Park and there are a lot of things that are needed in the community. She stated the rates are very low.

Ms. Tyler stated they are discussing a refinancing which will result in approximately \$400,000 in savings to the Township. She stated since there are a number of administrative costs to do this, it is also an opportunity to add new money. She stated they need to fund a \$7.5 million investment in the sewer system which is a necessity. Ms. Tyler stated Mr. Fedorchak did provide a list of other items; and they have contemplated \$2 million for the Community Center, \$2 million for the development of the Snipes Tract for the benefit of the football league, and a potential \$5 million to preserve open space.

Mr. Fedorchak stated they also have a recommendation from the Public Works Director, Mr. Carp, who has prepared a Capital Equipment Replacement Program; and advised that at this point they are at "catch-up mode" with respect to equipment. Mr. Fedorchak stated Mr. Carp has projected that over the next three years they could be looking at \$1 million for replacement of existing equipment. Mr. Fedorchak stated he has reviewed this and agrees with his recommendations.

Ms. Reiss stated they are looking at approximately \$17 million.

Mr. Walker stated the Internal Revenue Service wants you to have a reasonable expectation that you will be spending most of this money within three years from the time they close. Mr. Fedorchak stated he feels they would spend \$10 million within one year.

Mr. Lewis stated the total debt now is \$32 million, and this will be a 50% increase in the total debt load. He stated he feels this seems like a lot of money in terms of debt load, and he feels some of the items they could deal with through an increase in the taxes or restructuring some other spending they have. He stated he is fine with the sewer item, the Community Center, and some degree of open space; but with regard to some of the items, he feels they should take some time on those. He stated with regard to the Public Works equipment he knows that the Citizens Budget Commission worked out a Plan indicating how much they should be reserving every year so that they are not in the situation where they are borrowing significant funds. Mr. Lewis stated if they were to borrow \$10 million to \$15 million, they would be getting that money all up front and then holding it in a bank account which results in interest expense on money that they are not spending. Mr. Walker stated they would be borrowing at over 2% but earning almost nothing. Mr. Walker stated this is called negative arbitrage.

Mr. Lewis stated there is a unfunded liability with the sewer in general so that could be more expensive although that could be borrowed by another entity. Mr. Lewis stated while he agrees they need the money for the sewer and some other items, he is not at \$15 million for new money especially when they do not know how quickly they will need it all. He stated he would be comfortable with \$7.5 for the sewer, \$1.5 for the Community Center, and \$3 million for open space since they are not sure that they would be able to get property within the timeframe.

Mr. Joe Menard, 917 Putnam Drive, stated he has always been against using Bond money for Public Works equipment. He stated there should be an annual contribution to the Capital Improvement Fund in order to fund road equipment. He stated over the last few years, they have built up over \$400,000 of reserve money in the surplus; and he would ask the Board to allocate that specifically to Public Works. He stated there will also be \$475,000 in savings from the re-financing of the Bond Issue, and he would recommend that should also go to Public Works equipment which would give them \$875,000 of the \$1 million needed.

Ms. Tyler noted Mr. Menard has been Chair of the Citizens Budget Committee for a number of years and he reviews the Township Budget's regularly. She asked his opinion of the other items which have been earmarked. Mr. Menard stated personally when you discuss open space versus the Community Center, he sees the

Community Center as a very active asset that many people in the community will enjoy more than the open space so he would go higher on the Community Center, and a little less for open space. Mr. Menard stated he would like to see more detail on the sewer; and if it is strictly the \$2.7 for Yardley and the \$3 million to \$4 million that is the immediate need for Morrisville, he would be in favor of that. Mr. Menard stated currently there is a \$500,000 annual appropriation in the Sewer Budget for Capital Improvement items. He stated they could use that fund for all of the smaller items, and still be able to build up a reserve.

Mr. Menard stated when they were at the Budget meetings, they recommended a sewer rate increase. He stated the sewer reserves had gone completely down, and they were almost a negative in the Capital Improvement Fund; and the rate increase provided an opportunity to get back to a meaningful surplus to provide a cushion, and also reinstated the ability to have the Capital Improvement Fund be able to fund smaller things from \$10,000 to \$100,000.

Mr. Menard stated they also need to take a fixed amount of money and have that as an annual appropriation to the General Fund Capital Improvements Fund so that they can have more leeway in terms of projects that come up given the amount of infrastructure in the Township.

Mr. Fritchey stated he feels there is an immediate need to address a variety of things that have not received attention since the recession hit. He stated the sewers are an inescapable necessity, and he feels they should do the Community Center and the Snipes Tract. He stated there are also other matters in the Park system that have been waiting completion that are considerably smaller items but also need attention. He stated there was a Referendum approximately fifteen years ago in favor of the purchase of open space, and he feels they are getting to the point where there is not too much open space left; and to the extent that there are open space parcels that are available, he feels they should act on those. He stated since the interest rate is low, he feels now is the time to resolve these things.

Mr. Benedetto asked Mr. Fedorchak if they did Option 1 - \$15 million for a twenty year term, what would be the millage increase, and Mr. Fedorchak stated it would be approximately one mill.

Mr. Fedorchak stated when Mr. Ebert was present at a previous meeting, he provided the Board with a very thorough and detailed evaluation of what he thought would be the Township's Capital obligations within the next three-year period. Mr. Fedorchak stated the bulk of those obligations were improvements within the Morrisville Sewer system and Yardley Borough. He stated those numbers totaled approximately \$5.5 million, and Mr. Fedorchak stated he feels all those projects will occur within the next three years. Mr. Fedorchak stated there are also several

Capital Improvement Projects within the Township's system, and he noted specifically the Maplevale area where they are experiencing high inflow and infiltration issues; and the cost to replace the entire system there could be as much as \$700,000. He stated they are also looking at replacing the Stackhouse pump station at a cost of \$300,000. Mr. Fedorchak stated over the last five years, they have been able to set aside approximately \$500,000 from the Operating and put it into the Sewer Capital and pay as they went without having to borrowing money; however, he stated the Township is well past that point now. He stated he feels the \$7.5 million figure that Mr. Ebert came up with is a solid number, and could actually be a little light.

Ms. Reiss asked Mr. Fedorchak what would one mill average out per household, and Mr. Fedorchak stated it would be approximately \$42. Ms. Reiss stated this is the cost of a night out at the Movies.

Mr. Benedetto stated going back to 2011, he and Mr. Dobson ran on a promise of "No New Taxes;" and he is sure he will be accountable in 2017 if he agrees to raise taxes by one mill. He stated all the Board members care about the Township, and they are trying to do what is best. He stated there have been seven years with no tax increases, and a lot of things have not been taken care of in that time. He stated everything that is on the list has been discussed for years. He stated the Public Works Department did a study a few years ago which showed Capital improvement needs. He stated the Police Department has not had any new Officers in quite some time, and they have a lot of development taking place in the Township. He stated he feels they should borrow \$15 million for twenty years, and feels when they look back they will see that they did something great for the Township.

Ms. Reiss stated she feels that the money spent on open space and the Community Center will be reflected in the value of the homes in the Township. She stated open space gives a 20% increase across the Country, and people come here because of the trees, the yards, and the open space.

Mr. Fritchey stated Snipes is an important part of the Park system. He stated they bought the property fifteen to twenty years ago, and an entire generation of children have gone to School and have not used what was supposed to be a recreation site. He stated the Park system is one of the great value enhancers of all the property values throughout the Township; and Lower Makefield has a Park system that is the envy of Eastern Pennsylvania, and it can be even better.

Mr. Lewis stated the challenge he has in calculating what the new money figure should be is what is it that they will actually spend in three years, and not to have negative arbitrage and also how quickly they can develop the projects they are

talking about. He stated the Township needs to do a better job with the Capital projects in terms of the budgeting and the oversight. He stated he does not disagree with the value of many of the things included, but he is coming to a slightly different calculation of what should be in new money for what they are likely to spend in the next three years. He stated they also need to consider if they are going to pay for these items by borrowing or be more responsible and say that there is a certain amount of debt load that the Township should have on a per capita basis and they do not want to be that high. He stated as to new money he is closer to \$12.5 million.

Ms. Tyler asked Mr. Walker how Moody's sees the Township with regard to their debt load as they currently exist and how might they see the Township should we borrow these sums of money. Mr. Walker stated the Township has a AA1 rating. He stated while he has not looked at the Township's debt load lately as compared to others, but the fact is that the Township has an excellent rating is good. He noted a number of things Moody's looks at adding that approximately half of them are unrelated to the Township specifically such as the area, Pennsylvania's unemployment level, etc. He stated they also look at the Township's Pension liability, debt per capital, market value, and businesses coming in and going out. He stated debt is just one thing out of many things they look at. He stated they will like the twenty year term as opposed to twenty-five years. He stated they also focus on fund balance; and if the fund balance is declining, they do not like that. Mr. Fedorchak stated the Township's General Fund balance has continued to increase.

Mr. Fritchey stated there was discussion about spending \$1 million buying equipment for Public Works and whether that should come out of borrowing or the Reserve Fund; and he asked if from the standpoint of Moody's it would better not to borrow the money for that. Mr. Walker asked if they would be taking the money from the General Fund or the Capital Reserve, and Mr. Fedorchak stated it would probably be the General Fund. Mr. Walker stated in that case it would be better off borrowing the money, as they like to see the General Fund increasing which is liquidity in case things get bad. Mr. Walker stated they also will like the fact that a good percentage of the borrowing is utility related.

Mr. Lewis noted Solebury Township has a Debt load which is much higher than Lower Makefield, and Mr. Walker stated they purchased a lot of open space. Mr. Lewis asked about their Bond Rating, and Mr. Walker stated it is not as high as Lower Makefield's. Mr. Walker stated if you borrow too much and your fund balance goes down, that could trigger a down grade. He stated if they went down to a AA2, that is still a very good rating. Mr. Walker stated based on what he is hearing, he does not see a down grade. Mr. Lewis stated if there is not a risk of a down grade, the question becomes what they feel comfortable borrowing and what do they expect to spend in the next three years. He stated if they were to go back into the

markets three years from now, there is a potential for refinancing if rates change, and they could borrow additional money for Capital projects at that point.

Mr. Lewis stated he wants to be responsible in terms of paying for things in the short term and not pushing things out. Mr. Walker noted that the Township's existing debt will be paid off in fifteen years.

Mr. Fritchey stated he feels the only thing that is speculative about spending is the open space. He stated one parcel could easily cost \$4 million; but if no open space parcels were available, they would have borrowed \$5 million that they would not have spent. He stated other than that all the other matters are fairly certain.

Ms. Reiss stated she does not feel taking a piece off the Community Center and building a Community Center no one is happy with makes sense. She stated there is not really anywhere in the Township to meet other than this room which is limited in size and scope.

Mr. Zachary Rubin, 1661 Covington Road, stated he does not feel it is correct that they have to raise taxes to borrow money as he feels that they should be raising taxes so that they do not have to borrow money. He stated the Board has been irresponsible for the last eight years by not incrementally raising the property tax, and then getting to the position where they have this list of necessities. He stated if they raise a mill in the Township it raises \$525,000. Mr. Rubin stated currently the Township has an increasing number of street lights; and as new developments come on line with the streets dedicated to the Township, people realize the more lights you have, the safer it is. He stated every time a light goes out the Township has to pay Northampton Township to bring in a bucket truck. He stated since it does not pay to bring in a bucket truck for one or two street lights, the Township waits until a number of them are out; and that looks terrible in the community when the street lights are not fixed on a timely basis. He stated if the Township had its own bucket truck that would also help with tree removal after storms. Mr. Rubin stated the Township should start adequately raising the property taxes in the Township so that in eight or nine years, it is not necessary to borrow another \$15 million to \$20 million. He stated neighboring communities also have earned income taxes which the Township does not, and he feels Lower Makefield can afford incremental property taxes.

Mr. Menard stated he disagrees with putting Public Works items in the Bond issue, and the Township should be funding those just as they do Police Cars and other routine items from an annual appropriation in the Budget. He questions why they would borrow money for twenty years to purchase equipment that will last seven to twelve years. He stated there is money in the Capital Improvement Fund, and he has already indicated where they can get \$875,000 out of the \$1 million so there is no reason to include this in the Bond issue.

Mr. Lewis stated he believes they all agree that they need to purchase the Public Works equipment, it is just a question as to how much and how it should be funded.

Mr. Walker reminded the Board that they can pick a number and go to Moody's with that; and if they want to raise or lower it by \$1 million or \$2 million before they sell the Bonds, he does not feel that would be a problem.

Ms. Reiss stated she does not feel there is a problem with this tax increase; however, Ms. Tyler stated she does not feel this is fair since there are a number of people living in the Township who are having difficulty paying their bills. Ms. Reiss stated she does recognize this, but she feels while this is a hard thing to do, they have not done it; and she does not feel these are "wish list" items. Ms. Tyler stated she feels the only things that are not "wish list" items are the sewer and to some extent Public Works. Ms. Reiss stated they are things that make the Township a better place to live. Ms. Tyler stated she would be in favor of \$12.5 million which would include \$7.5 million for the sewer, \$2 million for the Community Center, \$2 million for Snipes, and \$1 million for Public Works.

Mr. Benedetto stated the Township is exploring options as far as open space is concerned. He stated his priority is sewer and open space would be second. He stated he feels if they are going to spend money on open space, they should do so now because once the parcels are gone, they are gone. He stated they have also been talking about the Community Center for years; and for what they want to build, it will involve borrowing money. He stated he is comfortable with \$15 million for twenty years which he feels will be spent well within three years.

Mr. Benedetto moved and Ms. Reiss seconded to approve the Refinancing of the Series 2011 Bond with an additional \$15 million for the term of twenty years.

Mr. Lewis stated he would be in favor of a lower amount because he does not feel the capacity to spend the money in the given time is there, and he does not want to be in a position where they are looking at negative arbitrage. He stated he feels that the Township's Bond rating is such that if they needed to go back and get more money they could. He stated he does not want to borrow money for items that they do not need immediately. He stated he would be in favor of \$12.5 million with a twenty year term.

Motion carried with Mr. Lewis and Ms. Tyler opposed.

Mr. Menard asked if they will fund Public Works out of the borrowing. Mr. Benedetto stated he agrees with Mr. Walker that taking money down from the General Fund is not as good of an idea as borrowing the money. Mr. Menard stated he feels that given the size of the surplus, Moody's would look more unfavorably on the Township borrowing money over a twenty year term for seven to twelve year assets. Mr. Fedorchak stated while he respects Mr. Menard's opinion, he disagrees with it; and he stated the \$1 million is a very small part of the \$15 million, and the other \$14 million have life expectancies in the twenty-five to fifty year range. Mr. Menard stated he does not feel they should be putting Public Works equipment money in a Bond issue, and they should be funding it out of Operations. He stated if they want to conserve the surplus, they should raise the tax rate to do it.

Mr. Adrian Costello, Citizens Budget Commission, stated he agrees with Mr. Menard with regard to Public Works. Ms. Tyler stated regardless of what they do tonight, moving forward they should do what Mr. Menard is saying. Mr. Costello thanked the Board for putting money in for open space. He stated he wants the Board to use the money, and at the next meeting they should discuss their top five properties and start going after them. He stated there are pieces of property that are for sale. He stated this item is the only one being discussed that has been approved by the Electorate. Mr. Lewis stated they are working actively on this. Mr. Costello stated there is a big parcel of land for sale on Big Oak Road. Ms. Tyler stated the EAC has been working on this since 2010.

Mr. Walker stated the next step would be an Ordinance no later than sometime in July. Mr. Benedetto stated they could have this on the Agenda for July 6. Mr. Walker stated they could have a Parameters Ordinance on July 6 and sell sometime before August.

Mr. Dresser stated the Environmental Advisory Council does have the list of open space properties; and they had contacted a number of the property owners several years ago, and a number of them were interested.

#### DISCUSSION AND MOTION TO PROCEED ON DEVELOPMENT OF SNIPES TRACT

Ms. Judy Goldstein was present and stated that the Board had been provided estimated costs of construction and two Plans – the Concept Plan and the Walkability Analysis. Ms. Goldstein stated the Concept Plan was reviewed by the Park & Rec Board on April 12 and the engineers came back with a Revised Plan dated May 2 after hearing their recommendations. She stated she met with the Park & Rec Board on May 10, and they recommended to the Board of Supervisors that it go to Land Development. Ms. Goldstein stated the plan is to accommodate football

and Lacrosse at this point. She stated these are large flat fields that could accommodate any field sport. She stated the three large fields are 120 yards by 70 yards with a 5 yard perimeter around them. She stated there is also 30 yards between the fields. She stated there is also one smaller field as the football group indicated a need for a smaller field for different age groups and also possibly for flag football. Ms. Goldstein stated parking would be in a loop road around the perimeter of the fields themselves with parking all inside the loop so that no one is crossing the road or driveway. She stated the only exception where there could be parking on both sides is the area near the potential future skate park.

Mr. Benedetto asked about walking trails and access points noting the challenge at Macclesfield with one ingress/egress. Ms. Goldstein stated there is one vehicular entrance at the existing driveway on Dolington Road, and they are showing two points for pedestrian access one adjacent to the existing driveway and the other opposite the Elementary Schools where a former driveway came into the site. She also noted on the Plan the dashed white line around the perimeter of the site between the two access points, so all along Quarry Road and up Dolington there would be a perimeter pathway out there as well as the inner loop which is the beige color on the Plan going around the fields and accessing into the spectator area between the fields so that there would be ADA access for spectators, players and/or coaches. Ms. Tyler asked what the material would be, and Ms. Goldstein stated it would be asphalt.

Ms. Reiss noted the two small bridges over I-95, and she asked if this is where 95 is going to be widened, and will they be working in that area. Ms. Goldstein stated after meeting with the Park & Rec Board, they discussed needing to get the greater neighborhood to access not just the Park but also other neighborhoods and the Elementary Schools. She stated those bridges are the two constraints. Ms. Goldstein stated the traffic engineer is checking into where I-95 will be widened, and it is believed that those bridges might be within the program for the Scudder Falls Improvements and the extra lane; and if they are, then PennDOT would need to accommodate the walkability potential. Ms. Reiss stated she believes the sound barriers are supposed to be in that area, and Ms. Tyler agreed. Ms. Reiss stated she feels the overpasses may need to be replaced anyway which might help with the walkability.

Mr. Rubin stated they are not widening as they are putting the lanes inside so the footprint of 95 is not going to be widened.

Ms. Goldstein stated it is whether or not the bridge needs to be replaced because of that and the potential for the replacement to accommodate the additional lanes.

Mr. Lewis stated the bridge on Dolington Road was just refinished by PennDOT about two years ago so he does not feel they would want to be changing that. Ms. Goldstein stated she is not sure either, and this is why they are looking into this. Mr. Lewis stated they could re-line it to produce pedestrian space. Mr. Eisold stated just because they are not re-doing the bridge does not mean they cannot make adjustments to the travel lane to provide for pedestrians.

Mr. Benedetto asked the logic of the circular parking, and Ms. Goldstein stated people tend to find ways to get their vehicles close to the fields if you do not provide the parking near the fields. She stated by having a driveway on the perimeter, you are eliminating the potential for conflicts between players and pedestrians running back and forth across the driveway. She stated they are not anticipating a one-way driveway as it is at Macclesfield, and this will be a two-way drive. She stated when they met with Mr. Phil Worsta, he strongly suggested the potential for another vehicular access at the point where she had shown pedestrian access across from the Elementary Schools. She stated he also suggested that there be traffic counts done so that they can do a traffic study and that they determine what is needed lane wise for turn lanes in and out at the potential two vehicular access points. Ms. Goldstein stated Mr. Worsta stated they would need to do the traffic counts before School is out in order for them to be valid. Mr. Eisold stated they want to get a comprehensive review of what is going on currently at this location; and by doing it while School is in session, it would provide the maximum number of trips/vehicles. He stated they would then use that information to see what is really needed in the area. He stated they are also looking into putting in an actual driveway across from the Elementary Schools rather than just a walkway, and that would also permit additional overflow parking at the Elementary Schools if there was a big tournament with a lot of cars.

Mr. Eisold stated in the Walkability Study you can see a lot of points of conflict and things that the traffic engineer would evaluate which would include consideration of how to allow for the neighboring communities to walk to this facility as well as get around the general area.

Ms. Goldstein stated they have shown existing asphalt trails and concrete sidewalks, and the beige dashed lines are potential connections that are not there now. She stated right in front of Quarry Hill, there is a section which is missing. She stated they are working with Mr. Worsta to see what can be done as part of an overall pedestrian project as well as pedestrian crossings. She noted the red circles on the Plan which are potential conflicts right now. She stated they are looking not only at what is needed at Snipes but also what the Township needs to consider to bring people safely to and from Snipes and the Elementary Schools.

Mr. Benedetto asked that these Plans be put on the Township Website.

Ms. Tyler noted the intersection at Dolington Road, and she asked if this is an opportunity to improve that intersection; and she asked that they look at this. Ms. Tyler asked about the loop road being two-way. Ms. Goldstein stated at Macclesfield if your child is using the first field, when you leave you have to drive around through everything else; and this will not require that. Ms. Tyler asked if any of the sports clubs are bringing anything to the table to help this project get accomplished. Ms. Goldstein stated anecdotally out at the site, she has heard discussions of what people feel they could do; but she is not in a position to say that anyone has committed to anything or not. Ms. Tyler asked Mr. Fedorchak to have Ms. Liney speak to the sports organizations to see how they are able to help.

Ms. Goldstein stated there is still a lot of nursery stock on the site; and while a lot of it is small, they are looking to have a tree service come in and tag individual trees to be moved to be a naturalistic buffer with some of the existing vegetation that is there. She stated they are also looking to retain a lot of the existing vegetation at Quarry Road and back by I-95.

Mr. Lewis asked if they gave any thought to moving the concession/restroom building more centrally located between the fields. Ms. Tyler stated there would be a problem with running the utilities. Ms. Goldstein stated if they put it more toward the middle every time something is being dropped off there or there is a function where they are using the pavilion, they would be bringing everyone in through the site. She stated there are economies of scale to have it as shown on the Plan. Mr. Lewis asked if there was a breakdown in terms of what the current field usage is and what the planned field usage is going forward. Ms. Goldstein stated they were told what the demands were and that there was a definite need for football using these fields, and in further discussions that there might be demand for Lacrosse as well. She stated these fields would be good for any flat field sport. Mr. Lewis asked if they would be changing of the field configurations at Macclesfield.

Mr. Fritchey stated a lot of the concept developed because of YMS's need for utility of scale in having their operations centralized at Macclesfield Park as they have a great amount of equipment and do a lot of maintenance. He stated currently there are two football fields there; and if football goes to a different site, they could store there equipment there as well, and it would facilitate everyone's operations. Mr. Fritchey stated representatives of YMS and PAA were involved in the discussions. He stated the football people also talked to the Lacrosse League who indicated an interest in returning to playing in Lower Makefield if there were suitable facilities. Mr. Fritchey stated this proposal will free up a lot of real estate at Macclesfield Park that was being used for football which will now be able to be used for soccer while at the same time giving football and Lacrosse a home. Mr. Fritchey

stated there was also a plan for a skate park located at Snipes. He stated the original plans for the site going back to the 1990s was that there would be a number of soccer fields there, and YMS's opinion was that they would be better served if they were centralized at one spot rather than being around the Township in different areas.

Mr. Lewis stated YMS has an artificial turf facility at Macclesfield which is about eight years old, and he asked if it is due to be replaced; and Mr. Fritchey stated it is. Ms. Tyler stated YMS paid for that field and have maintained it. She stated it is approaching its ten year life, and they will need to replace it at a cost of approximately \$700,000 to \$800,000. Mr. Sean O'Hara, President of YMS, 360 Robin Hood Drive, was present; and he stated they installed the turf field approximately nine years ago at a cost of approximately \$850,000. It will be replaced next year, and to do the top surface will cost about \$650,000 to be paid by YMS. Mr. O'Hara stated Mr. Fritchey summarized how the fields will be moving around, and the user groups worked together with the Park & Rec Board to develop the Plan.

Mr. Benedetto asked about the potential of a second turf field at Macclesfield; and Mr. O'Hara stated the goal is to replace the existing turf field surface next year, and within five to six years add a second turf field at Macclesfield. Mr. Benedetto asked if they would still need to use fields at Edgewood or would all soccer be at Macclesfield. Mr. O'Hara stated while this plan helps, there is another plan they have been discussing with PAA; and they would like to use the baseball field at Macclesfield H so that they could bring the children from Edgewood to Macclesfield as well.

Ms. Tyler asked Mr. O'Hara if he is able to speak to whether any of the other Clubs have the wherewithal that YMS has to make capital investments to help the Township get the Snipes project off the ground. Mr. O'Hara stated he cannot speak to that. He stated YMS also has a lot of human capital and this is where they also partner with the Township. Ms. Tyler asked if Ms. Goldstein factored any of this into her cost estimates; and Ms. Goldstein stated they did not contemplate in-kind services, and they gave the full amount that it would cost if the Township were to undertake it. Ms. Goldstein stated that would help to reduce costs as it would be an expenditure that the Township would not need to do, and it would also not be prevailing wage rates.

Mr. Fritchey moved and Ms. Tyler seconded to proceed with the Land Development process in accordance with the Township engineer's presentation.

Mr. Zachary Rubin stated currently there is an excellent basketball court at Memorial Park, but no one uses it is because there is no fence around it. He asked that fencing be put around the basketball court. He stated when they do the Snipes Tract, there will be fencing involved; and there will also be fencing at Revere Road and at the Dog Park. Mr. Rubin stated for economy of scale when they contract with a fencing company, they should fence in the basketball court when they are planning all these things. Mr. Lewis stated there is also the need for trees around the court. Ms. Goldstein stated they have the long-range Planting Plan, and it did include trees in that area.

Mr. Lewis asked if there is a constituency for the skate park and would there be a fee opportunity associated with it. Ms. Goldstein stated to her knowledge a fee was not discussed although she knows some skate parks charge a fee, and this would be a Township policy decision. Mr. Fritchey stated at one time there was a constituency when they came up with this idea, and a number of families came in and indicated a desire for a skate park. Mr. Fritchey stated there are problems when skaters are skating in inappropriate places, and there is a risk of injury. Mr. Fritchey stated the Public Works Director, Mr. Carp, developed a noteworthy skate park in the City of Bethlehem.

Mr. Ralph Clark stated skaters typically will not pay to skate in a skate park. He stated this is a remote location, and getting them to this location would be a challenge. Mr. Fritchey stated it is across the street from two Elementary Schools.

Ms. Goldstein asked if the Motion will include having the traffic engineer do the traffic counts right away, and Mr. Benedetto agreed.

It was agreed to Amend the Motion to include having the traffic counts done prior to School ending.

Mr. Adrian Costello asked why they would not consider putting a track at Snipes for training. Ms. Goldstein stated that would use up a lot of space, and it would be more than the perimeter of the field itself, and it would involve the whole curve and having the right distance for the radius. She stated if they did a 400 meter around one of the fields, they would lose one of the full size fields and some of the buffer. Mr. Lewis asked if they could do something for cross country since it is large enough. Mr. Fritchey stated at Memorial Park they were discussing having a hiking/biking/running track running around the Park, through the arboretum, around the chimney and back down past the Garden. He stated he feels that would be at least a mile and maybe more. Ms. Tyler stated with the contemplation of the Community Center between the softball and baseball fields, and the concentration of people that are at this area, she would do a loop down in that location. Ms. Tyler

stated she feels they need this enhancement at Memorial Park as well. Ms. Tyler stated they can consider this when they look at their road resurfacing program. Mr. Fritchey stated he would be in favor of both of those paths.

Mr. Lewis asked if anyone spoke to someone involved with the St. Ignatius program stating for cross country they use Tyler State Park which is a distance for those in the Parish to get there. He stated he would include them in the discussions if they are considering something at Memorial Park. Ms. Goldstein stated those running cross country do not want to be on paved trails, and there are great opportunities at Memorial Park for a grass court as well as between Fred Allan, Caiola, and the Township Complex to lay out a course. Mr. Fritchey stated St. Ignatius never came before the Park & Rec Board. Ms. Goldstein stated if they have a need, they could look to see if they could accommodate them within the Township.

Motion carried unanimously.

#### APPROVE AGREEMENT WITH SEPTA FOR SUBGRANT UNDER THE STATE MULTIMODAL TRANSPORTATION FUND GRANT PROGRAM

Mr. Eisold stated on May 25 they received an e-mail from SEPTA that the SEPTA and PennDOT Agreement had been finalized. He stated the money is coming from PennDOT, but it had to go through SEPTA to get to Lower Makefield. Mr. Eisold stated that the Township has now received the SEPTA/Lower Makefield Agreement which for the most part is in good shape. He stated he discussed this with Mr. Truelove, and they feel that the Agreement is approximately 98% ready with some minor changes to be made. He stated this will entitle the Township to receive the Multi Modal Grant from PennDOT in the total amount of \$500,000 and 70% would be from PennDOT through SEPTA, and the balance of 30% would be from the Township.

Ms. Tyler moved and Mr. Lewis seconded to approve the Agreement with SEPTA for the Sub Grant under the State Multimodal Transportation Fund Grant Program subject to the minor revisions being contemplated and discussed by the Township engineer and solicitor.

Mr. David White, Gayle Drive, asked when this will go to bid. Mr. Eisold stated the Plans and specs are put together, and they expect to go out to bid within two weeks. He stated he anticipates construction could start the end of July/beginning of August.

Mr. Benedetto asked what the amount is that the Township has to come up with, and Mr. Eisold stated it is \$350,000 from PennDOT and \$150,000 from the Township. Mr. Benedetto asked when the Township would have to come up with this; and Mr. Eisold stated a lot of the soft costs that have been incurred during the process of getting the approval for the Quiet Zones would be incorporated back, and they are getting close to that amount so the Township has almost met their commitment already. Mr. Benedetto asked how soon they can expect to see the funds from PennDOT, and Mr. Eisold stated there is a process that has to be followed.

Motion carried unanimously.

Mr. Truelove stated the Board met in Executive Session beginning at 7:00 p.m. and matters of litigation and real estate were discussed.

APPROVE AUTHORIZATION TO ADVERTISE AMENDMENT TO THE TOWNSHIP  
STORMWATER MANAGEMENT ORDINANCES TO UPDATE AND CONFORM  
LANGUAGE RECOMMENDED BY THE BUCKS COUNTY PLANNING COMMISSION SO  
AS TO MEET ALL APPLICABLE STATUTORY AND REGULATORY GUIDELINES

Mr. Truelove stated there are two Stormwater Management Ordinances in Lower Makefield Township one being the Delaware River South Watershed and the other the Neshaminy Creek Watershed. He stated that when the Bucks County Planning Commission recommended Ordinance updates some time ago for volumes they used the word “should” as opposed to “shall,” and they should have used “shall” as it is not to be a discretionary control mechanism. He stated these Amendments will conform the Ordinances. He thanked Mr. Dresser for bringing this to their attention.

Ms. Tyler moved, Mr. Lewis seconded and it was unanimously carried to authorize the advertisement of the Amendments.

SUPERVISORS REPORTS

Mr. Lewis asked all business owners in LMT to answer the business survey if they have not already done so.

Ms. Reiss stated they still need people for Special Events, and asked those interested to send a letter of interest to the Township Manager.

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Ms. Tyler stated the Pool opened Memorial Day Weekend, and she thanked the Pool staff that works within the Complex. She stated she also wants to thank Lynn and Chris who are part of the Township administrative staff and Barb, Mr. Fedorchak's executive secretary, who saw the lines and helped as well. She also thanked the residents for their patience as well as there were some long lines.

#### FINANCE DIRECTOR UPDATE

Ms. Reiss asked if they have advertised for a Finance Director yet, and Mr. Fedorchak stated they have.

There being no further business, Ms. Tyler moved, Mr. Fritchey seconded and it was unanimously carried to adjourn the meeting at 9:55 p.m.

Respectfully Submitted,

Kristin Tyler, Secretary