

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 4, 2017

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 4, 2017. Ms. Tyler called the meeting to order at 7:35 p.m.

Those present:

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

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

PROCLAMATION TO CASEY SCHAEFFER ON RECEIVING THE BUCKS COUNTY
ASSOCIATION OF TOWNSHIP OFFICIALS DERSTINE YOUTH AWARD

Ms. Tyler stated thirteen year old Ms. Casey Schaeffer has been involved running the Full Heart Charity for four years organizing community events, raising money, and giving that money to a number of charities within the community with the primary benefactor being A Soldier's Hands, a charity formed by Lower Makefield Township resident Ms. Trish Shallenberger that provides hand and lip balm to deployed soldiers. Ms. Tyler stated Ms. Schaeffer is an inspiration to the youth in the community, and she involves many other children making them realize the importance of serving your community.

Ms. Tyler stated Lower Makefield Township submitted Ms. Schaeffer's profile to the Bucks County Association of Township Officials to be entered for a contest to acknowledge her charitable involvement, and she won. She stated the Bucks County Township Officials then submitted her biography to the State Officials, and they also awarded Ms. Schaeffer an award. Ms. Angelina Tyler was present holding the Awards that Ms. Schaeffer has received.

Ms. Schaeffer thanked the Board of Supervisors especially Ms. Tyler for nominating her Full Heart Kids Carnival to represent Lower Makefield Township for award consideration. She stated they won both the Bucks County Association of Township Officials and the Derstine Youth Awards. She stated she received Certificates of Merit and cash awards totaling \$1,000 which will go to her college scholarship fund.

Ms. Schaeffer stated she started Full Heart in 2015 to promote community involvement by kids and help raise funds which could be donated to other organizations, and so far they have donated over \$3,000 in cash and merchandise to a number of organizations. Ms. Schaeffer stated they are planning a Holiday Sing Along at an Assisted Living facility in December, and they will hold the third Full Heart Kids Carnival in May, 2018. She stated she will also be receiving the Lower Bucks County Champion Award for Community Service this November. She thanked everyone on behalf of the Full Heart team for these honors.

Ms. Tyler read the Proclamation in the Record.

PUBLIC COMMENT

Mr. Harold Kupersmit, 612 B. Wren Song Road, asked about the Opioid Town Hall meeting to be held on October 23.

Mr. Scott Burgess, 15 Glen Drive, stated this will be held at the Woodside Church from 7 p.m. to 9 p.m. for presentations and questions on the opioid crisis. He stated presentations will be made by Chief Coluzzi, Bucks County DA Matt Weintraub, Diane Rosati, Chair of the Bucks County Drug and Alcohol Commission, and Bob Sofronski, Chair of Christian Life Prison and Recovery Ministry. Mr. Burgess stated twenty-one groups have signed up to man tables in the lobby before and after the presentations, and they will have resources and information. Mr. Burgess stated this will be an educational and informational meeting. Mr. Burgess stated in the past four years there have been over 207,000 overdose deaths from opioids in the United States compared to the combined American deaths in the Korean War, the Vietnam War, and World War I which was 229,000. Mr. Burgess stated this issue is getting a lot of publicity especially given what the Pennsbury School Board has done recently, but there is a lot more that has to be done. He stated the situation has gotten worse this year already compared to last year. He stated there were over 64,000 deaths last year, and they are anticipating it to rise by 30% or more this year.

Mr. Burgess stated more information on the event is available on the Township Website, and there is something in the Municipal Building lobby, as well as on LMT is a Great Place to Live Facebook page. Mr. Burgess stated the Township also knows how to reach him. He stated they are hoping to fill the room at Woodside, and arrangements have been made to simulcast it in the Sanctuary. He stated doors open at 6:00 p.m., and they will stay open until 10:00 p.m.

Mr. Kupersmit stated he had to file a Right-To-Know request to get information that he feels he should just be given about an important issue that he does not feel the Supervisors are addressing. Mr. Kupersmit asked where the Supervisors are on the

waste treatment facility that is now sixty-five years old. Ms. Tyler stated they are exploring all of their options. Mr. Kupersmit stated there is only one option, and it does not exist which is to develop a new technology at a new plant which would cost at least \$125 million. He stated the plants are all chlorine based, and he has searched the world to find the technology; but it does not exist. He stated they will have to create a new waste treatment facility that will be able to deal with the super bugs that are resistant to chlorine. He stated funding is a problem to develop this technology as it could cost a trillion dollars. He asked why they are resisting his requests for information. Ms. Tyler asked if there is a specific action taken by Lower Makefield that he has issue with, and Mr. Kupersmit stated he wants to know what the Township is doing. He stated his research tells him that they will have to invent a new technology which will cost a lot of money.

Mr. Mike Brody, 509 Brookbend Court, stated he was impacted by the accident that took the life of Josh Goldinger in August. He stated he and his family continue to pray for the driver and her family and to wish for peace and healing for all involved. He thanked all those who reached out to himself and the Goldinger family. Mr. Brody stated there is now increased awareness throughout the area which has caused many to consider the safety of the roads, the drivers, bikers, skateboarders, and pedestrians. Mr. Brody stated on Saturday, October 14 all bike riders ages eight and up are invited to join in a tribute ride in silence for Josh Goldinger which is being coordinated with the Lower Makefield Township Police Department and Township Officials and a number of residents with help from Bike Bucks County and Safe Kids Bucks. He stated behind a Police escort and led by a group of Josh's closest friends and family they will ride in silence from the Pool parking lot to Makefield Road and turn right on N. Homestead and then return to the Pool parking lot on back roads. Mr. Brody stated they want to promote motorist, pedestrian, and bicycling safety throughout our roads while also honoring Josh. He stated there is no cost to participate in the event. He stated participants are asked to wear green which was Josh's favorite color, and bicycle helmets are required. He stated no headphones, music, ear buds or any other hand-held technology will be allowed.

Ms. Tyler stated that same morning at the Garden of Reflection the Disabled Persons Advisory Board is having a Roll and Stroll which will also be a free community event to showcase the new 1K loop at Memorial Park. She stated the State Representative will be there, and there will be informational material there as well. She stated that event will be from 10 a.m. to 11:30 a.m. She stated those who would like to participate in the event discussed by Mr. Brody should come down to the Pool where they will be assembling at 1:15 p.m. to begin the silent ride in honor of Josh Goldinger. Mr. Brody stated both events are listed on LMT.org under community events. Mr. Brody asked that they link to the Facebook event and RSVP so they can help Chief Coluzzi and his team have the proper amount of Police presence for the event. Mr. Brody stated he can also be contacted on Facebook.

Mr. Tim Collins, 479 Jenny Drive, stated a number of months ago they talked about giving a Certification to Toll Bros. to continue the second phase of building at Regency; and the last he heard, the Township was going to have Toll Bros. representatives here with regard to the mold problems at two different locations including Regency. He asked if they ever came in; and Ms. Tyler stated they did, although she was not present for that meeting, but she feels very little was resolved. Mr. Collins asked if the Township granted them the Certificate to continue building, and Ms. Tyler stated she does not believe they have been back.

Mr. Collins stated with regard to the Quiet Zones, there was an article in the Courier Times on September 23, and there are a number of issues he needs to get clarified. He stated a number of months ago Ms. Tyler stated that the Quiet Zones had nothing to do with the intrusion on Edgewood Road that created the problems down below; however, the newspaper article states categorically that it did. Ms. Tyler stated they had a traffic consultant perform an analysis, and they now have the report that indicates there were many factors that led to what they presently have today. Mr. Collins asked if they are refuting the article in the paper in any way. He stated it also states that the two concrete crossings that SEPTA put in are a direct result of the Quiet Zone construction.

Ms. Reiss stated from what she understands from the report they were given is that the problem was not really the Quiet Zone, and it was SEPTA; and SEPTA has agreed to meet with the Township now regarding putting in the third rail. She stated putting it on the side that they put it, raised the road in such a way that it cut the sight line. She stated everything that was done did not improve the situation.

Mr. Collins stated for those people who do not come to the Board of Supervisors meetings or listen to them, they may read the newspaper and get a very false impression of what created the problem.

Mr. Benedetto stated it is all a matter of interpretation. He stated his interpretation from the report that was issued by Amy Kaminski from Gilmore and Associates is that she has indicated there are two factors that contributed to the issue with Sandy Run. He stated one of which was the third rail and the other was the Quiet Zone. He stated there was other work done beside the median with regard to the Quiet Zone that raised the level of Sandy Run. He stated when Ms. Kaminski was present at a previous meeting, there was a conflict between what she was saying as a Traffic engineer and what Mr. Phil Wursta was saying. Mr. Benedetto stated Mr. Wursta stated the Quiet Zone did not contribute to it; however, Ms. Kaminski stated it did. Mr. Benedetto stated he feels it all contributed to the problems that they have at Sandy Run. Mr. Benedetto stated he feels the newspaper article is actually correct.

Mr. Collins asked Mr. Eisold if SEPTA had not added the additional track but the Quiet Zone was put in, would we have effected Sandy Run Road. Mr. Collins stated he feels the answer is “no” because technology wise, the Quiet Zone does not require anything other than warnings to the crews to not blow the horns. He stated the additional third rail exacerbated an already existing problem and they were already four to five feet beyond where they should have been. He stated the additional third rail added approximately twenty additional feet of width to that crossing, and that is what created the issue.

Mr. Benedetto stated the third rail also exacerbated the slope; and what happened was because of the slope, the Quiet Zone work that was done had to reduce the slope and raise the level of Sandy Run. He stated when the Township did all the things necessary to put in the Quiet Zone making sure that the grade was not severe, that was part of the Quiet Zone; and he feels that what Ms. Kaminski is saying is technically correct because it was part of the Quiet Zone work. He stated the definition of the Quiet Zone is putting in the median; however, the Quiet Zone work encompassed a lot more in this situation. He stated both situations made the problem worse, and one without the other would not have changed the fact that the Road would be closed. He stated if it was just the Quiet Zone, based on the study done by Ms. Kaminski, they would still close the road. Mr. Collins disagreed.

Mr. David White, Gayle Drive, stated he would like to have Ms. Kaminski come back and explain from an engineering standpoint how the Quiet Zone had any impact at all on Sandy Run Road as he does not believe it.

Mr. White stated approximately two weeks ago he and one of his neighbors realized that they were still hearing train horns and train bells. He stated they never talked about bells before; but bells are noise, and the Quiet Zone means quiet. He stated they saw on the Website the report form, and he does not know where this form came from. He stated a lot of information is requested on the form which he feels is almost obstructionist; and he particularly noted that they are being asked to either read off the number on the engine or the number on the train car, and if they cannot see the track, they cannot do that. He stated at night they cannot see the trains at all anyway. He stated they are also asked to provide on the form what time the horn started and what time it stopped, and they feel that is irrelevant. He stated in some cases they can identify which Railroad crossing; but in some cases it was all three Railroad crossings. He stated in his neighborhood they can hear the horn effecting all three Railroad crossings.

Mr. White stated they started to keep a log of the infractions; and in the last eight days, they have over twenty infractions. He stated they would have to fill out twenty forms and mail them. He stated there is no way to e-mail them in. He stated he would like to understand how much of the detail is really necessary. He stated they

can identify the time and the train company, and they can usually identify the direction of the train and often identify which crossing; but in many cases, they are blowing the horn not only at the crossing but in between the crossings as they used to do. He stated in some cases there are no train horns, but CSX is ringing the bell all along the Railroad; and they do not understand why they are doing that. He stated a lot of money and time was spent on implementing this, and they would now like to police it and be able to report back to the Railroad what they see as the infractions; and they are struggling with this form.

Chief Coluzzi stated the more information they have the better. He stated they are not expecting them to fill out every block on the form, but as much as they can submit would be helpful. He stated they collect the forms and keep track of the data and the complaints and turn them over to Boucher & James who has the contacts at the Railroad; and they send it to the Railroad, and follow up with them. He stated the Railroad is supposed to conduct an investigation into every horn that blows. Chief Coluzzi stated a particular complaint form may be filled out with the time that the horn blew and which crossing it was heard at, and a Police Officer might have an incident report that corresponds with that complaint that the conductor blew the horn; and the Police may know that it was valid and the reason that the horn blew. He stated they cross reference the complaints with their incident reports and see that the complaint was unfounded and they can respond to that.

Mr. White asked if they could drop the form off rather than having to mail it in, and Chief Coluzzi stated they can drop it off at any time. He stated they could e-mail it, and he will have the form updated to show the e-mail address.

Mr. Chris Yasinsac, 252 Reading Avenue, stated he used the Sandy Run intersection one to four times a day; and he agrees that all the components together created the situation, but it was the extended hump that created the lack of vision. He stated the extended hump is probably between three to four feet that it was raised. He stated at Sandy Run there seems to be a forty to fifty yard segment that is lower than where part of Sandy Run comes out and where Edgewood meets. He stated originally there was talk about raising Sandy Run; and looking at the situation, that might be the most feasible idea. He stated he would be able to show anyone on the Board or Mr. Eisold what he is looking at.

Mr. Benedetto stated he feels as part of the report it indicated that it was raised slightly. Ms. Reiss stated she feels the problem is when they put in the third rail they had the "launching pad," and they tried to ameliorate that problem. She stated even if you were going the speed limit, the sight line at Sandy Run was short anyway. Mr. Yasinsac stated previously he never had any fear making a turn either

way on that Road. Ms. Reiss stated if people were going a little faster than they should be, it was tight. She stated now people are going even faster than they did years ago.

Mr. Yasinsac asked if there has been any more discussion with regard to the Gilmore & Associates report. Mr. Truelove stated in the last week and a half the Township did hear from SEPTA; and at this point given the comments and the fact that the report is out there, from a legal perspective it is best that there not be a lot of comments from the Township regarding the report until they have had a chance to look into it. He stated while the questions from the public are appropriate, the Township cannot make a commitment at this time until they have the discussion with SEPTA which may be a positive development.

Ms. Tyler stated the chicanes have been ordered; and if they can get the traffic slow enough, they might not have to move any roads. She stated the temporary chicanes that are coming in may well turn into permanent chicanes on both sides, and they could beautify them with planters, etc. Ms. Tyler stated they do not know exactly how this will be fixed. She stated hopefully they can slow the traffic down and have a plan moving forward. She stated SEPTA has indicated they are willing to talk with the Township, and everyone wants to work this out.

Mr. Yasinsac asked why speed humps have not been considered, and Ms. Tyler stated they could be considered. She stated a problem with a lot of the traffic calming options is that they have snow plows, Police vehicles, and ambulances all coming in and out of that area; however, nothing is off the table.

Mr. Fritchey stated he was in Europe recently where chicanes are used a great deal; and while previously he was a skeptic about chicanes, having seen these used in European cities, he feels that the chicanes work, and he is much more optimistic that they can resolve the problem through the use of chicanes and getting the traffic down to what the speed limits are as opposed to going forty to fifty miles per hour. He feels they can get the traffic down to twenty-five with the installation of the chicanes, and they are going to try them out as the traffic engineer has suggested. Ms. Reiss noted an area in Northampton where chicanes were installed, and it has slowed down the traffic. She stated they also included plantings, and it is extremely attractive.

Mr. Yasinsac asked if there is a way to get a street sweeper out to Sandy Run where it has been closed because there is a lot of broken glass, and Mr. Fedorchak agreed to look into that.

Mr. Benedetto stated he feels there is a frustration; and if this issue had not been brought out by Mr. Yasinsac at the September meeting, SEPTA would not have proactively reached out to the Township. Ms. Tyler stated she does not feel that is correct. Mr. Benedetto stated the Township has not done anything about this problem, and they continue to “talk it to death.” He stated they have enough information to act, and they have not acted. He stated the longer they wait to resolve the issue, the longer the residents will have to suffer and emergency services will not be able to access that area. He stated this is one of the biggest problems in the Township, and they continue to talk about it.

Ms. Tyler stated she disagrees with Mr. Benedetto. She stated this was such an incredible safety issue that Chief Coluzzi saw the need to shut the road down. She stated since then they have engineered it to see what is wrong, and they have put in a plan to slow the traffic down; and the chicanes are coming out and should be installed in the next several weeks. She stated they cannot have a permanent solution until they establish the average speed of the vehicles. She stated she is horrified that there is a closed road, and she understands that it is very inconvenient for the residents; but to say they are not doing anything is a gross misstatement.

Ms. Donna Doan, 2814 Langhorne-Yardley Road, suggested use of a roundabout on Edgewood Road. Ms. Doan also noted that tomorrow evening at the Bucks County Community College there will be a Holocaust remembrance speakers event, and the program is a partnership with the Fegelson-Young-Feinberg Post 696 of the Jewish War Veterans of the United States of America and Patterson Farm Preservation. She stated they would have like to have had this event at the restored Satterthwaite House, but that has not happened yet. She stated Bucks County Community College agreed to give them the Gallagher Room in the Charles E. Rollins Center, and it will be held tomorrow evening from 7 to 9 p.m. She stated the subject matter is suitable for Middle School children and older. She stated additional information can be found at PattersonFarmPreservation.com.

Ms. Kathy Hirko, 1450 Dolington Road, stated she understands Chief Coluzzi has several of the latest speed signs available to be placed in different areas, and she asked that one be put on Dolington Road where there has been a lot of fast traveling cars particularly traveling north toward Woodside. She stated coming over the I-95 overpass, she estimates they are going fifty to sixty miles per hour, and she and her husband have come close to being hit several times. She stated a few years ago the State paved the shoulder, and the situation was better before they paved the shoulder because people are now passing on the right. She stated they have almost been hit several times trying to turn into their driveway with people passing them on the right. She stated the speed limit is forty; however, there are no speed limit signs on that section so people do not know what the speed limit is. She also discussed potential problems with the traffic at the future Snipes Complex.

Chief Coluzzi agreed to look into this, and to reach out to Ms. Hirko if he has any questions.

APPROVAL OF MINUTES OF SEPTEMBER 19, 2017

Mr. Lewis moved and Ms. Reiss seconded to approve the Minutes of September 19, 2017 as written. Motion carried with Mr. Fritchey abstained.

APPROVE PATTERSON FARM EASEMENT MAP

Mr. Fedorchak stated he and Mr. Truelove have been working closely with Bucks County Officials to permanently preserve as much of the Patterson Farm as they can; and in order to accomplish that, they are partnering with Bucks County to create an Easement. He stated the Easement will be available for the Board at their next meeting. He stated this evening he wants to finalize the scope of the Easement, and what is before the Board is what Bucks County has presented to the Township. He showed the map noting the hatched area which is the area to be the new Easement. He also showed the area of the original Open Space Easement they had secured with the County in 1999, as well as an area of approximately thirty-eight acres which would be excluded from the Easement because the manor house is there where the Artists of Yardley have a long-term Lease. He stated the Township also has a considerable leaf disposal/leaf composting operation there. Mr. Fedorchak stated Bucks County made it clear that they want no part of the composing operation. Mr. Fedorchak stated there is also the five acre Satterthwaite Tract which is currently involved in litigation so at the moment, that is being excluded; but the Board could at some time in the future decide to include that.

Mr. Fedorchak stated he needs direction from the Board whether they are satisfied with the scope of the Easement. He stated the next step is they will get the surveyors out and develop the metes and bounds for the Easement.

Ms. Tyler asked if this is the original carve out that was done approximately two years ago, and Mr. Fedorchak stated this is more. He stated he recalls that Ms. Reiss had asked that they pull the Easement right up against the five acres as when they looked at this two years ago, the Easement they looked at had about a 1,500 foot buffer around the five acres; and they did pull that in. He stated there was also some discussion about having the Easement run parallel to Mirror Lake Road and establish an Easement there and bring that up to the Satterthwaite which is what this proposes to do.

Mr. Benedetto stated he still feels there is too much area that is in white which includes the Satterthwaite parcel, which he understands; however, there are approximately thirty-eight acres that will not be protected by the Easement. Mr. Benedetto stated he believes the Patterson Farm is 225 acres, and they are protecting 110 acres. Mr. Fedorchak stated what the map shows is that approximately 187 acres of the 225 acres will be protected.

Mr. Benedetto stated his concern is around the litigation that allows way too much property for the development proposed by Sunflower Farms. Mr. Benedetto stated she would not be able to have the operation she wants to have with only five acres, and he feels she would be interested in having more; and she would be interested in that thirty-eight acres that is shown for the leaf collection operation adding he does not feel they are using all thirty-eight acres for the leaf collection operation.

Ms. Reiss stated that is also her concern, and she felt they had pulled down a little tighter to the leaf collection area.

Ms. Tyler stated the Township cannot “hamstring” themselves on the leaf collection. She stated previously they had use of the area where the ball fields are currently, and they also no longer have the Community Center area; and if Snipes is built, this area at Patterson Farm is the only area they have. Ms. Reiss stated she understands this, and it makes Mr. Benedetto’s point moot since the Veterinarian would have to come to the Township for approval to lease the land.

Mr. Lewis stated as it relates to the litigant, their original proposal was to have access to sixty-eight acres; and he believes that the Agricultural Easement does not allow the use for an equine hospital facility. He stated what they are proposing will be 83% preserved, and the five acres they cannot do anything with at this time. He stated he is satisfied with what has been proposed.

Mr. Fritchey stated he feels 187 acres is a significant achievement and accomplishes the purpose of what they are trying to do without unduly constricting the Township in its operations together with honoring the ongoing litigation that they cannot do anything about. He feels they are doing what they can do, and they should proceed.

Mr. Fritchey moved and Ms. Reiss seconded to approve the map presented and explained by Mr. Fedorchak.

Ms. Donna Doan commended the Board for this positive progress; however, she stated Mr. and Mrs. Patterson and her father all passed away and never saw this Farm preserved. She stated even though this is a fabulous step forward for preservation, the original Janney parcel was 1,000 acres. She discussed the amount of farmland lost every day in the Country.

She stated because of the value of this farmland, there is no reason not to preserve 100% of the Farm. She stated the leaf operation is on about two acres, and she stated leaves are spread on the hatched and white parts of the map.

Ms. Tyler stated they want to allow the Township to have the resources required to run the Township's business. Ms. Doan asked if there is a plan for the Township's use of that parcel, and Ms. Tyler stated they will continue to use it as they have been using it.

Ms. Doan stated the hatch marks are over the Bright Farms area, and she asked if this Easement will allow Bright Farms to expand at any time in the future. Ms. Tyler stated there is an Agreement with Bright Farms, and it is considered an agricultural use and is acceptable to be within the Easement. Ms. Doan asked if the Board is aware of the DEP's decision. Ms. Reiss stated she understands the decision was that they did not find anything harmful. Ms. Doan stated she received information from the DEP that Bright Farms was in violation of the Clean Streams Law, and they were fined for that violation; and they were found to be industrial polluters.

Mr. Zachary Rubin, 1661 Covington Road, stated previous Boards sold 5.1 acres to a veterinarian to put in an equine hospital. He stated part of the Agreement of Sale was that it was contingent upon the prospective buyer getting all of the Variances and relief from the Zoning Hearing Board. He stated the Zoning Hearing Board Denied any Variances by 5 to 0, and any Realtor would tell you that Agreement would be null and void; however, the Township solicitor at the time made an Agreement with the attorney for the prospective buyer that they would not challenge the validity of the Agreement of Sale because it would be the Zoning Hearing Board's ruling that was being Appealed to the Common Pleas Court, and the Township solicitor advised the Board of Supervisors that would expedite the case going through the Court systems. Mr. Rubin stated it has now been years since this has taken place, and now it is in front the State Supreme Court. Mr. Rubin asked the Mr. Truelove if we can revisit the Agreement of Sale and say that the contingency was never met, therefore the Agreement of Sale is null and void; and the people who are interested in preserving the Satterthwaite House, can go on the property and do what they want to do.

Mr. Truelove stated he feels as long as the litigation is pending, he would not recommend they act on that. He stated if the litigation is concluded in favor of the Township which he expects it will be, there may be an opportunity to revisit it at that time; and he will be prepared to do so if directed to by the Board.

Mr. Rubin asked if it is not true that the Appeal in front of the State Supreme Court has to do with the Zoning Hearing Board's determination and not the validity of the Agreement of Sale; and Mr. Truelove stated while that is true, the problem is that they have an Equitable Agreement and anything that would be viewed as an impediment to their rights on Appeal, he would not recommend going in that direction. He stated he hopes that the matter will be resolved sometime this year. Mr. Rubin asked the Board to comment on the Solicitor's advice, and Ms. Tyler stated they are taking his advice.

Ms. Kathy Hirko stated there is a sign on the corner of Mirror Lake Road and 332 that says Lower Makefield Township has preserved 235 acres of open space on Patterson Farm which has been there for as long as she has lived here, and it is misleading and wrong. Ms. Tyler stated Lower Makefield bought land with the purpose being no development which is what they did at Patterson Farm so it is preserved land. Ms. Hirko stated she feels it is misleading and makes people think that the whole Farm is preserved, and it is not. Mr. Fritchey stated the Farm is preserved, and nobody is building houses on the Farm. He stated the fact that there is not a Conservation Easement that has been established with Bucks County over the entire parcel does not mean that it is not preserved. Ms. Reiss stated they purchased it as open space preservation; and by adding the Agricultural Easement, they are bringing in a partner so that no Board can do what the Board previously did with Satterthwaite and sell it off in the future.

Ms. Hirko asked if the white area on the map could be sold to the Veterinarian in the future, and Ms. Tyler stated a future Board of Supervisors could do that. Ms. Hirko stated she does not feel that means that it is preserved.

Motion carried unanimously.

APPROVE AWARD OF 2017-2018 SALT BID TO MORTON SALT, INC. THROUGH THE BUCKS COUNTY CONSORTIUM

Mr. Greg Hucklebridge was present and stated this was Bid out through the Bucks County Consortium, and the low bidder was Morton Salt with a bid of \$48.82 per ton delivered which is a decrease of \$7.31 per ton over last year's bid of \$56.13.

Mr. Fritchey moved, Mr. Lewis seconded and it was unanimously carried to award the Bid to Morton Salt.

AWARD 2017-2018 SNOW PLOW PROPOSAL

Mr. Hucklebridge stated they did a request for proposals for snow plowing as they have done in previous years, and they have exactly the same contractors as they had last year. He stated there is an increase in available equipment from the contractors with the same exact pricing. He stated the Township sets the price and invites anyone to offer equipment per the list so he would like to renew their Contracts for the upcoming season.

Mr. Fritchey moved and Ms. Reiss seconded to award the 2017-2018 snow plow proposal.

Mr. Benedetto stated there are complaints about snow plowing every year, and he asked if there are any mechanisms in place since he is concerned that they are going to have the same as they did last year which sends a message to the residents that the Township is happy with the job that they have done; but one of the biggest complaints they get is that residents say their road was not plowed enough.

Mr. Hucklebridge stated every storm is different, and they have to make adjustments as it is happening even though they try to plan as best as they can with the information they have available. He stated he came in during the last storm of the season last year; and he saw some things he wanted to improve, one of which was having more appropriate equipment in cul-de-sacs. He stated he would like to have the ability during the larger volume storms to get loaders in there as opposed to large trucks which will allow them to better react to the storm. He stated the point of the Bid was to have the equipment available when they need to deploy it.

Mr. Benedetto asked how many contractors they have, and Mr. Hucklebridge stated there are five contractors with a total of approximately thirty pieces of equipment. Mr. Benedetto asked how they are used, and Mr. Hucklebridge stated typically they respond to the storm with Township crew first. He stated they will plow if they have three inches to four inches of snow depending on the storm and the time of year. He stated if they have more accumulation, they start plowing and then call in all the contractors available; and they usually coordinate ahead of time.

Mr. Benedetto asked if they call in all the contractors when there is a snow storm; and Mr. Hucklebridge stated for the storms they are plowing, he would typically have them all called in. Mr. Benedetto asked how he determines who is utilized, and Mr. Hucklebridge stated that is part of the challenge because all the storms are different. He stated they break up the entire Township into zones and assign trucks for each zone. He stated they look at what is available before the storm and plan out which equipment will go where. He reviewed the equipment that each of the contractors have available and the names of the contractors.

Mr. David White stated he does not live on a major thoroughfare, and he was completely pleased last year with the snow plowing; and he feels they did a good job.

Motion carried unanimously.

AWARD 2017-2018 LEAF COLLECTION BID

Mr. Hucklebridge stated they asked contractors to submit Bids to assist the Township in the collection of leaves similar to what they have done in previous years. He stated they have ten Township trailers, and they look to have them fully staffed along with some additional help as needed depending on how things are going with weather. He stated they have the same contractors that they have had in the past. He stated some contractors provide their own truck with their own trailer and crew to go out to specific areas assigned as needed. One contractor is showing a reduced rate just to pull a Township trailer with their own crew, and this is an option they have utilized in the past. He reviewed the rates for each of the contractors. He stated they are looking to award this on an as-needed basis; and they would go with the least expensive first

Mr. Fritchey moved and Mr. Lewis seconded to award the 2017-2018 Leaf Collection Bid.

Mr. Benedetto asked what the leaf collection fee is currently per residence, and Mr. Fedorchak stated he believes that it is \$70. Mr. Benedetto asked if there is a proposal to increase that fee this year; and Mr. Fedorchak stated he cannot answer that question at this point as they just started the 2018 Budget. He stated he is confident by the first week of November he will have an answer. Mr. Benedetto stated the leaf collection fee has gone up significantly in the last three to four years, and they have proposed to put some money into an account for capital improvements for that since there is equipment that is getting very old which will need to be replaced soon. Ms. Tyler stated she felt they just added two trucks and two trailers, and Mr. Hucklebridge stated this year they added six trucks of various sizes, and they added two trailers in the recent past. Mr. Benedetto stated the grinder is the specific piece he was referring, and Mr. Hucklebridge stated the tub grinder is approximately twelve years old.

Ms. Vanessa Fiori, Woodside Road, stated her property goes along the bike path, and they rake up to the edge of the road where the leaves are collected by the Township. She stated when they moved to their home in 2007, the leaf collection was wonderful; and they took everything so that the grass was able to grow. She stated

in the last three to four years, it has been getting “sloppy,” and they often leave a big pile. Ms. Tyler asked that she contact Public Works if that happens again, and they will send the trailer back.

Mr. Joe Menard, 917 Putnam Drive, asked if there are regulations on where you can put the leaves as you rake your property, and Ms. Tyler stated there are. Mr. Menard stated he believes they should alert the residents as to what those regulations are. Ms. Tyler agreed, and she stated the Newsletter will be coming out shortly; and information on leaf collection will be included. Ms. Tyler stated they should also include information on this prominently on the Township Website.

Mr. Menard asked with respect to the increase in the leaf fee this year, how much was in the 2017 Budget to transfer to the reserve for Capital equipment; and Mr. Fedorchak stated he will have to look into that.

Motion carried unanimously.

AUTHORIZE ADVERTISING AN ORDINANCE AMENDING THE TOWNSHIP’S ZONING ORDINANCE

Mr. Jim Majewski stated he was before the Board approximately one month ago to discuss Ordinance changes and the process for that. He stated since that time he held two meetings with the Planning Commission reviewing the recommended changes he had made, and a number of edits were made to those changes at the recommendation of the Planning Commission. He stated he had provided an outline to the Board of Supervisors of the recommendations.

Mr. Majewski stated the first one is for properties that are in the Residential Resource Protection Zoning District which is primarily the area between the Canal and the River. He stated the number that is there for impervious surface is pretty low for a lot of the houses that were built in the 1960s and 1970s. He stated they are proposing to allow an additional 3% of the Lot area to be added as impervious surface subject to compliance with the Stormwater Management Plan that is in the Ordinance and the approval of the Township engineer. Mr. Majewski stated typically when these go in front of the Zoning Hearing Board, that is a typical Condition that they make when they grant the Variance.

Ms. Tyler stated this is also the Flood Zone, and she asked if this change will impact the Community Rating. She asked Mr. Majewski if he has discussed this with Ms. Saylor from Boucher & James. She stated she wants to make sure that it does not impact the Community Rating. She stated whenever a property comes up in the Flood Zone, this is her concern because when the Township achieved the

Community Rating that they did, it allowed the residents to receive a lower rate for flood insurance. Ms. Tyler asked that Mr. Majewski discuss this with Ms. Saylor; and Mr. Majewski agreed to do so.

Mr. Majewski stated for the other Residential Zoning Districts, he had shown the chart showing the impervious surface going up and down; and every time you hit a break in the chart, it would drop by up to 800 square feet of impervious surface that you were allowed. He stated he wanted to make the graph linear so that it gradually increases as your Lot size gets larger. He stated this would be for Lots that were granted approval after 1987. He stated the Ordinance currently breaks up Lots in two categories – those that were granted approval for Subdivision and Land Development after 1987 and then all the ones before that. He stated the reason they did that was because around that time is when the State of Pennsylvania and the Township started to implement stormwater management more aggressively so the newer Lots are permitted a slightly higher impervious surface ratio than the older Lots because the newer Lots have stormwater management built in throughout the developments, and not all older developments had stormwater management built in.

Mr. Majewski stated for the Lots that were granted approval after 1987, he came up with a formula of 10% of the Lot area plus 3,000 square feet as the basis; and that would be the amount of maximum impervious surface permitted by the developer for a Subdivision. He stated built upon that, and what is currently in the Ordinance, is that they reserve an additional 3% of the Lot area for the homeowner's use so that the developer could not build the biggest house they can and then the homeowner could not later put in a shed, patio, etc. He stated the proposed Ordinance would keep that the same. Mr. Majewski stated for impervious surface above those amounts, he would recommend that an additional 2% of the Lot area be granted to the homeowner subject to compliance with the Stormwater Management Ordinances. He stated when the Ordinances were adopted studies had been done of the entire watershed. He stated Lower Makefield has two major watersheds one being the Delaware River South Watershed and the other is the Neshaminy Creek Watershed. He stated those two studies which had been done in the mid-2000s looked at the watershed as a whole that encompasses all of Bucks County and looked at how they could properly manage stormwater on a regional basis. He stated as part of this they recognize that for developments there is a lot of work that needs to be done on stormwater such as detention basins, and best management practices for the entire development; and those require a lot of effort on the part of developers or property owners who are doing large-scale development of property to address those requirements; however, for smaller properties, and existing properties, the Plans recognized that homeowners would be adding incremental amounts of impervious surface to their property such as a shed, deck, patio, pool, etc. He stated because of that they came up with Appendix I in

both of the Ordinances – Chapter 173 and 174 which prescribe methods for dealing with stormwater from smaller projects of a few 100 to 1,000 square feet as opposed to roads, sidewalks, and houses for a major development. He stated as part of that there are simplified calculations that can be done by homeowners and their contractors with assistance from the Township so that they can demonstrate that they are going to be controlling stormwater management.

Mr. Majewski stated at the Zoning Hearing Board level, they have typically granted Variances for numbers that were in excess of what we currently allow in the Zoning Ordinance provided that the increase was not too large and provided that they address the stormwater management component of the increase. Mr. Majewski stated the recommendation is that provided they do this, this would be part of our Ordinance so that those residents would not have to go to the Zoning Hearing Board.

Mr. Benedetto stated at the Planning Commission concern was raised that if this change takes place, they would no longer have to go to the Zoning Hearing Board to seek relief; and the surrounding residents who would normally have received notice and would have been able to go to the Zoning Hearing Board, would no longer receive notice. He stated he feels this is a valid concern. Mr. Majewski stated the reason for the change was to smooth the “up and down” which made no sense, and over the years a number of residents have been caught “in the dip.” He stated for the remainder a 2% increase in impervious surface is not that large, and it can be controlled by the homeowner by using stormwater management. Mr. Benedetto stated this is basically codifying what is already taking place at the Zoning Hearing Board; and now the residents would not have to go to the Zoning Hearing Board and pay the \$500 fee, and they are trying to be more resident friendly. Mr. Majewski agreed.

Mr. Majewski stated the other category of impervious surface is for the Lots that were granted Subdivision and Land Development Approval or were pre existing prior to December 14, 1987. He stated those are the ones that are most impacted at the Zoning Hearing Board level. He stated he reviewed the number of Applications that had been filed dating back to July, 2015; and for the older Lots there were twenty-two Applications that required Variances, and they were granted Variances. He stated in this instance they are looking to smooth out the ups and downs in the curve which are much more drastic for the existing Lots, and take a straight 3,600 square foot number for all Lots between 6,001 square feet and 20,000 square feet; and that would be easy to apply. He stated after that it matches the existing number of the 18% impervious that is allowed so there would be no change for the larger Lots; however, he did allow an additional 3% of the Lot area subject to providing stormwater management in accordance with the Stormwater Ordinance and approval of the Township engineer. He stated this would allow a lot of

non-conforming Lots to be compliant. He stated for a lot of the developments that were approved prior to 1987 the only requirement was for building coverage and not total Lot coverage, and there was a building coverage of 15%. He stated there are numerous developments in the Township where every Lot exceeded what they had in the Ordinance, and they could not add anything on the property without going for a Variance; and this will provide more flexibility as it allows an extra 3% that will get them up to where they should have been or allow them a little bit extra impervious surface on their Lot provided they contain the stormwater on their property. Mr. Majewski stated with the current Ordinance eight of the twenty-two Applications he reviewed that were before the Zoning Hearing Board and were approved would not have had to go before the Zoning Hearing Board.

Ms. Tyler stated part of the reason Mr. Majewski has undertaken this Ordinance review is to allow people to make small improvements without having to pay the \$500 Filing Fee to go before the Zoning Hearing Board on matters which are routinely granted relief. She stated it is not to loosen rules, rather it is to be more resident friendly on issues where they know they have had a repetitive granting of relief. Mr. Fritchey stated this would effectively codify the reality of how things are normally done while saving the residents fees.

Mr. Majewski stated once you do go above the 3%, you would have to go to the Zoning Hearing Board. He stated in looking at some of the Applications that would still have gone to the Zoning Hearing Board, there were several that were just slightly above; and he feels that if they knew that, they may have scaled back their project slightly to be within the Ordinance to avoid paying the \$500 Fee. Mr. Majewski stated the current Fee does not even cover the Township costs and needs to be raised.

Mr. Benedetto stated for Residential Lots that are 20,000 square feet or more, the impervious surface ratio will be 21% assuming they provide additional stormwater management measures that are approved by the Township engineer, and Mr. Majewski agreed. Mr. Majewski added that he looked at surrounding Townships, and they have similar numbers from 10% for very large Lots up to 45% in more densely populated areas.

Mr. Majewski stated another change is to extend the expiration of Special Exceptions and Variances from six months to obtain a Building Permit or Occupancy Certificate to two years. He stated sometimes property owners find that they need additional financing once they learn that they have to do stormwater management or if they have to go through Subdivision and Land Development process, and the project gets delayed; and this will provide more flexibility to the property owners to get their projects done without having to Appeal back to the Zoning Hearing Board to extend their Variance or get their Variance re-authorized.

Mr. Majewski stated another item that is a common topic at the Zoning Hearing Board is fences. He stated the current Ordinance does not allow a fence within an Easement, and the proposal is to make an exception for Buffer Easements. He stated the Subdivision and Land Development Ordinance has certain Buffers that are required, and several of them actually require a fence. He stated fences do help buffer things, and if you go on Edgewood Road you will see half the fences are on the street side of the trees and the other half are on the house side of the trees. He stated this would allow it to be consistent, and they could all be on the street side of the trees. He stated this is a Variance that has been routinely granted.

Mr. Majewski stated the Ordinance also talks about fences and walls; however, other than the first sentence walls are not mentioned again so they added that into the Ordinance so that it would be consistent.

Mr. Majewski stated for a corner Lot he also looked at allowing homeowners some flexibility in taking what is essentially the side and rear of their home which is classified as a front yard under the Township Ordinance since it is a corner Lot and a corner Lot is considered to have two front yards. Mr. Majewski stated even though it is in the rear of your house, you would lose 20% to 25% of your property that you were not allowed to fence in because it was considered to be the front yard.

Mr. Majewski stated they looked at having a staggered setback. He stated currently the maximum height of a fence in the front yard is three feet which is so that you do not have a walled-in effect as you walk around the Township. He stated what is proposed would offer more privacy. He stated the Planning Commission recommended that for every foot in height you wish to exceed 3', you must set the fence back an additional 3'. He stated a 4' high fence would have to be 3' back from the right-of-way, and in most developments the right-of-way is about 1' behind the sidewalk although this does vary. He stated for a 5' fence would have to be set back 6', a 6' fence would have to be setback 9', and a 7' high fence would have to be set 12' back. Mr. Majewski stated at the Zoning Hearing Board level over the years they used to allow them to go right at the right-of-way line, and then they pushed it back a little more and more over the years. He stated he discussed this with the Zoning Hearing Board last evening, and they were split. He stated some of the members did not want any change and wanted every corner fence to come before the Zoning Hearing Board; however, others felt that the 3' was a reasonable accommodation to homeowners to allow them to use their property without resulting in the "tunnel-effect" along the roadways.

Mr. Benedetto stated currently they are discussing advertising the Amendments to the Ordinance and after thirty days it will come back to the Board of Supervisors. He asked if the Bucks County Planning Commission has already seen these changes;

and Mr. Majewski stated they have not, and he was waiting to get final input from the Board of Supervisors in case they wanted to make any changes before it was sent to the Bucks County Planning Commission. Mr. Benedetto stated it was recommended by the Planning Commission that Boucher & James do some sketches specific to the fences since it is confusing, and the visual of that is hard to understand unless you see it; and he feels that when it comes back to the Board of Supervisors they should have a sketch. Mr. Majewski stated he does have photographs of some fences that are right on the sidewalk and at various setbacks. He showed these to the Board this evening.

Mr. Benedetto stated one of the Planning Commission members also brought up the fact that with regard to “walls,” the Township needs to do a better job of defining what a “wall” is whether it is a retaining wall or a decorative wall; and this should be considered in the future. Mr. Majewski stated there are a number of things that still need to be clarified.

Mr. Majewski stated another Ordinance Amendment is for pool fences, and currently the Township requires a 5’ fence around a pool; but the Nationwide standard and the standard under the Uniform Construction Code which is adopted Statewide in Pennsylvania is 4’ high. He stated the current Ordinance is also awkward in the way it describes the spacing on the slats of the fence, and the recommendation is to state you must comply with the Pennsylvania Uniform Construction Code as Amended. He stated this will also save residents money because the current Ordinance raises the costs of the fence, and we are the only Township that has that requirement. Ms. Reiss stated it is a safety issue, and pre-teens could climb over the fence; however, Ms. Tyler stated preteens could get over a five foot fence as easily as they could get over a four foot fence. Ms. Tyler asked Mr. Majewski if he knows why the Township had the height requirement; and Mr. Majewski stated while it came about in the 1970s or 1980s he does not know why they required that height.

Mr. Majewski stated the last items recommended for change deal with the handicap accessible parking spaces. He stated there are written standards currently in the Ordinance that do not correlate correctly with the Americans with Disabilities Act (ADA), and the recommendation is to reference the ADA standards as Amended so that we are consistent with what is promulgated Statewide and Nationwide.

Mr. Majewski stated he will have more recommendations in the future as there were comments from the EAC, the Planning Commission, and the Zoning Hearing Board with regard to different items that they felt should be amended. He stated this is an on-going process, and they will continue to look into possible changes.

Ms. Tyler stated she feels these are good starting points, and her only concerns are with the Flood Zone and the impact on the Community Rating System, and she would like know where the 5' pool fence height requirement came from; but neither of these would prevent her from authorizing advertisement.

Mr. Fritchey moved and Mr. Benedetto seconded to authorize advertisement of the proposed Zoning Ordinance Amendments as outlined by Mr. Majewski.

Mr. Lewis stated he agrees with Ms. Tyler that they need to make sure about the CRS and FEMA rankings. He stated he would also like to get a sense of the total aggregate increase in potential impervious surface for those with smaller Lot sizes. He stated he realizes that not everyone will take advantage of this, but he would like to think globally in terms of the potential increase in impervious surface throughout the Township and what that might mean for stormwater management. Mr. Majewski stated when they did the Act 167 Studies they took a realistic look at what is existing and the impervious surface ratios to try to guesstimate what the impact of stormwater is and how best to control it on the large-scale level and down at the small-scale level realizing that existing homes expand; and this is why they built into their modeling additional run off and took it into account when they designed everything. He stated the incremental impact will not be that much primarily because a lot of the developments are already over the numbers being proposed. He stated the 3% will basically just legitimize what they have already done throughout the years. He stated he feels handling the stormwater right at the house is a good way to handle it for small-scale stormwater management, and it will not have a significant impact on stormwater throughout the Township.

Mr. Lewis stated if someone has a larger property, they would have to have recurring inspection of their stormwater management procedures to make sure they are effective. Mr. Majewski stated for larger scale improvements to the property, that is when it triggers an actual engineered plan which would demonstrate how you are going to control stormwater management. He stated that may entail that a Best Management Practices Operations and Maintenance Agreement be Recorded for the property so that it runs with the land and it will be in the Deed and future property owners would be advised that they have a responsibility to maintain the facility properly.

Mr. Lewis asked if they could require that the property owner pay for the cost for the Township making sure that the stormwater management system is working and inspected on a recurring basis. He also asked if they could charge the fees for the engineering work up front to review and approve their final plan and some sort of fee for inspections in the future so they know that is part of the deal. He stated he does not want the Township to get caught with costs associated with that or issues

where other neighbors experience some issues with the stormwater. Mr. Majewski stated currently when someone comes in with one of these Applications and file their Building Permit, it is forwarded to Boucher & James who review the stormwater management aspect of it; and when they install a seepage bed or whatever other type of facility, they call and Boucher & James goes out and does an inspection to make sure it is installed properly. Mr. Lewis asked if they charge the property owner for that, and Mr. Majewski stated they do; and that reimburses the Township for our costs that are incurred by Boucher & James to do that.

Mr. Lewis stated if the Board votes this evening to publish this, there will still be amendments and technical changes likely between now and when it is approved.

Mr. Benedetto stated it seems that if Bucks County Planning Commission has not weighed in on this yet, they may make changes as well so he feels it is too soon to vote to advertise this. Mr. Benedetto stated if they advertise it now and changes are made, the Township would have to re-advertise. Ms. Tyler stated that would only be necessary if there were substantial changes. Mr. Benedetto stated the Bucks County Planning Commission may make substantial changes.

Ms. Reiss stated she feels they are within the parameters of what the State and County require, and they are not asking them to look at something that is unusual. Mr. Majewski stated the only thing that may be slightly unique about this is that rather than just raising the limits, we are raising the limits subject to providing stormwater management.

Mr. Fritchey asked Mr. Truelove if they advertise as proposed and Bucks County Planning Commission has recommendations for changing some of the items, could they proceed and make the amendments on the items that they did not have issue with and either modify or eliminate the others and vote on them at another time. Mr. Truelove stated they could. He stated if there are substantial Amendments, they would have to re-advertise just those provisions. Mr. Fritchey stated he feels if they proceed tonight, most of the proposals should be non-controversial and will streamline the Zoning Ordinance so that it conforms with actual practice; and it has the benefit of not making property owners pay unnecessary Fees that are getting consumed anyway. He stated if there are issues that are found with certain portions, they can withhold action on those and modify them pursuant to the guidance given.

Motion carried unanimously.

APPROVE EXTENSION OF BID AWARD FOR SNIPES TRACT ATHLETIC FIELDS

Ms. Eisold stated he and Mr. Truelove discussed the Bid Award with Mr. Fedorchak and the possibility of extending the Bid Award; and based on the PA Commonwealth Procurement Code it does allow with proper authorization from the low Bidder to extend the low Bid that they submitted. Mr. Eisold stated they discussed a time frame, and they determined that it would be a sixty-day extension from the September 30th date. Mr. Eisold stated they contacted the contractor to make sure he was amenable to that. Mr. Eisold stated a letter was prepared dated September 26 that specified the details of the Extension; and the contractor endorsed that as did Mr. Fedorchak as the Township representative to the date of November 29, 2017.

Mr. Truelove stated there is a pending Court action; and there was Argument yesterday, and they assured the Court that this was just to keep the Township's options open in terms of the best price they could get for the work to be done if it is to be done within the timeframe allowed, and if not, they will have to look at the options on or before November 29. He stated this is a way to keep the Township's options open without any earth being moved given the pendency of the Appeal before the Court in Doylestown.

Mr. Fritchey moved and Mr. Lewis seconded to extend the Bid Award for the Snipes Tract athletic fields.

Mr. Benedetto stated he feels they should give an update on the status of the litigation. Ms. Tyler stated she feels the Township solicitor should speak to that. Mr. Benedetto stated it has been over three months since the Appellant filed, and the Stay took place on Tuesday. Ms. Tyler stated she feels Mr. Truelove should answer what he feels is prudent to answer. Mr. Truelove stated they had the Oral Argument on the Petition for Stay yesterday before the Judge, but the Judge has not issued a Ruling yet. He stated the issue is whether or not there is going to be a Stay Order entered, and the Bid Award would not necessarily be implicated by that at this point depending on what the Stay would be if issued and what the Conditions might be. He stated if it is not issued, there is still other pending potential litigation. He stated he anticipates some direction from the Court in the next two to three weeks.

Mr. Benedetto asked if it is the Appellant's position that they want the Court and not the Board of Supervisors to preside over a new Hearing, and Mr. Truelove stated that was one of the requested remedies. Mr. Benedetto stated they do not want the duly-elected Board of Supervisors to make a decision based on what is best for the community. Mr. Truelove stated that was one of the requests made. Mr. Benedetto asked if one of their other requests was to postpone until late October to hold the Hearing, and Mr. Truelove stated he believes that was one of the requests made.

He stated there were no dates specifically argued yesterday, but they did get into some of those issues because one of the Conditions for the Petition for Stay would be the likelihood of prevailing on the merits that is a standard that is not unlike an Injunction Hearing so they did have to get into some of that; and it was his request that any remedy would have to be done on an expedited basis given the work and the number of years of the process getting to this point.

Mr. Rich May, 1270 Creamery Road, stated one of the things that originally came out was that it was going to cost \$3 million for the project. Ms. Tyler asked if Mr. May is a Plaintiff in the case; and Mr. Truelove advised Mr. May that since he is one of the Parties of the case, he cannot tell Mr. May what he should or should not say if he is represented by Counsel, but it may not be appropriate for Mr. May to comment and he may wish to contact his attorney. Mr. May stated while he understands that, he just wanted to know what is the cost of the project. Mr. Truelove stated the property was purchased by the Township in the 1990s for the benefit of the entire Township, and the development costs have different options because there are Bid Alternates that were part of the Approval process. He stated the money that has been proposed to be expended came out of the Bond Issue that was approved last year and did not come out of the General Fund; and it would be similar to the financing for the sewer projects, financing for roads, and some of the other projects that were approved last year at a Public Meeting when the Bond was discussed, and the Snipes project was one of the items that was specifically discussed in great detail.

Ms. Kathy Hirko, 1450 Dolington Road, stated with regard to the \$15 million bond \$7.5 million of that was for the sewer, \$4 million for Open Space, \$500,000 for Public Works, and \$3 million to be split between the Community Center and Snipes; and Mr. Fedorchak stated he would have to check those numbers and report back to the Board of Supervisors. Ms. Hirko asked what has been used from the \$15 million toward the Community Center, and Mr. Fedorchak stated he believes it is approximately \$2 million. Mr. Hirko stated technically \$1 million would then be left for Snipes; and Mr. Fedorchak stated as noted previously he would need to go back and look through the finances to date and re-visit the Bond Issue and what part of the Bond Issue went for those different pieces, and he can provide this at the next meeting.

Mr. Hirko stated from what she understands with regard to the Bids for the Snipes project, there were three separate Base Bids – one for three primary fields, one for lighting, and one is for the concession stand. Mr. Fedorchak stated there is not a concession building. Ms. Hirko stated there are also to be two different Contracts – primary site lighting and concession stand; and Mr. Lewis stated there were eight Bid Alternates which were broken into different categories and the final Board decision will determine what gets included in each of the Bid Alternates.

He added that some of the Bid Alternates were structured in ways that would give them choice about how the project was developed. He stated at that time the Township engineer did provide an estimate of all the different Bid Alternates, and that is available; and Ms. Hirko stated she does have that. Ms. Hirko stated the Base Bid is just for the three primary fields, and Mr. Lewis stated it would be three and half fields. Ms. Reiss stated the half is the small practice area/Peewee field. Ms. Hirko stated it indicates that is a second Bid Alternate. She stated the Base Bid is for three primary fields. She asked if that is the Bid they are talking about, and Mr. Fedorchak stated there is also the lighting. Ms. Hirko stated technically there is \$1 million to build the fields, and \$2 million for the Community Center.

Ms. Reiss stated there is also money in the Budget and not just in the Bond as this is not something that they just thought of eight months ago. She stated they had a Grant for the Community Center. Ms. Hirko stated when they are talking about borrowing \$15 million, she feels the residents would like to know how that is being spent, and Mr. Fedorchak stated they did go over that in great detail at the time they borrowed the \$15 million. He stated at the time they borrowed the funds, they had well-thought out estimates, but as time goes on adjustments are made; and that will be the case with respect to the \$15 million.

Mr. Benedetto asked if the Township prevails, does the Township have the ability to seek legal fees from the Appellant; and Mr. Truelove stated possibly, depending on the way the Ruling will be issued.

Ms. Vanessa Fiori, Woodside Road, stated some time ago the Board of Supervisors very wisely put the Community Center up for a vote for the Township to decide; and it was voted down twice. She stated the Township rejected that. She stated she appreciates that Mr. Santarsiero brought in a \$1 million grant, but now they are talking about \$2 million for the Community Center when it was voted down twice. She stated perhaps this is one of the reasons why the Board is under scrutiny by many of the people here. She stated with regard to the Snipes Tract, she was at the Train Station at 8:00 p.m. and she could hear noise from Macclesfield Park. She stated Macclesfield Park also has lights which can be used well into the evening hours. She stated her home is as about as far away from Snipes as the Train Station is from Macclesfield. She stated she wrote an editorial to the Bucks County Courier Times that the lights would pose a severe hardship on “executives” living in within the sound of the Snipes fields. She stated if there are lights there, the fields will be used well into the evening hours and be very disruptive for all the residents within hearing distance which will be a huge radius.

Mr. Benedetto stated with regard to the Community Center being on the Ballot those specific proposals were vastly different from what you see now off of Oxford Valley Road.

Motion carried unanimously.

LMT AIRPORT TASK FORCE STATUS REPORT AND APPROVE SOLICITING PROPOSAL FROM GEORGE WILLIAMS

Ms. Joanne Guiniven, Chair of the LMT Airport Task Force, was present with Mr. Peter Kakoyiannis, and Mr. Richard Preston. Ms. Guiniven stated also present this evening from the Task Force are Mr. Brendan Monaghan and Mr. Joseph Menard. Ms. Guiniven stated residents from New Jersey have become much more active which has been spurred on by the request to buy homes around the Airport and to cut tree downs and create permanent easements for flights much closer to their homes shown in the Master Plan for the TTN Airport. She stated the efforts are expanding to areas such as Pennington and Lawrenceville.

Ms. Guiniven stated they had a booth at LMT Community Day, BRRAM had a booth at Harvest Day in Yardley, and Mercer Quiet Skys had a booth at Ewing's Community Day. She stated people at Harvest Day reported that they never had a problem previously, but they have one now so the cone seems to be widening and more people are making complaints.

Ms. Guiniven stated TTN is moving forward. She stated Mr. Brian Hughes, who has refused to meet with them, wrote an article which was published in the Yardley News about the history of TTN and how they were looking forward to moving forward. She stated the Task Force is in the process of writing a response to that article, and it may be helpful for the Supervisors to react as well. She agreed to provide the link to that article.

Ms. Guiniven stated at the last Mercer Freeholders' meeting, they funded six more items related to the beginning of the Master Plan regarding taxiways, etc.

Mr. Preston stated on October 19, the Airport Master Plan will be presented at a Freeholders' meeting, and they are trying to have lots of questions for the New Jersey people to ask since they submit their questions in writing and have to be present to do that; and he does not feel the Freeholders would be that interested in hearing from the Pennsylvania side although they plan to be there as a presence. He stated once they present the Master Plan, it is the opportunity to start giving back constructive feedback. He expects to use the Plan to help make the arguments that would feed the political progress to go to our politicians who have expressed

an interest in backing us. He stated to support that, they are proposing that Mr. George Williams be brought on under Ms. Barbara Lichman as a consultant to her. Mr. Preston stated he would look at this Plan with his FAA specific experience and be able to make comments on things to bolster our arguments.

Ms. Tyler asked if there is a copy of the proposed Master Plan out already; and Mr. Preston stated there is not, and it will be presented on October 19.

Mr. Benedetto stated Mr. Williams' expertise is in noise and specifically about where the planes will go and the types of planes which will directly impact the Township residents under an expansion. Mr. Benedetto stated Mr. Hughes in his article of September 27 specifically stated: "Before the Airport can move ahead with plans for a new terminal or any new Airport development, an environmental review process must take place under the guidelines and regulations of the National Environmental Policy Act; and this would be in the form of an Environmental Assessment or an Environmental Impact Statement which would look at an Airport project's effect on noise." Mr. Benedetto stated the recommendation regarding Mr. Williams was to limit it to \$15,000; and another piece that plays into that is the interest in Congressman Fitzpatrick getting involved and providing him "ammunition" from a political perspective to go back to the FAA with the information provided by the consultant so they can make a case that the Township residents are concerned about the expansion, and that there is a noise and airport expert consultant who has looked into the Master Plan. Mr. Benedetto stated it has also been recommended by our counsel, Ms. Lichman, to have Mr. Williams brought in.

Mr. Kakoyiannis stated he spoke to Ms. Lichman earlier today, and she felt very strongly about having a consultant on board. He stated she explained that Mr. Williams' background as a former FAA employee would be well respected. Mr. Kakoyiannis stated Congressman Fitzpatrick has been very proactive, and they plan to meet with him after October 19 so that they will have the Plan and hopefully input from Mr. Williams so this will help Mr. Fitzpatrick strategize and develop a position.

Mr. Fritchey asked if the plan is that they are going to unveil the Final Plan for the first time at the October 19 meeting he does not feel they can expect people to respond to it without having seen it or have an opportunity to digest it. Ms. Guiniven stated they had two meetings presenting Preliminary results, and there are documents from those meetings. She stated those meetings were a poster format with eight to nine stations around the room with people from their engineering firm manning each of the posters. She stated people could go up and ask questions, but no one else could hear the question or the response. She stated there was no common presentation. She added that in the article he wrote, Mr. Hughes indicated that the Final presentation will be made on October 19 and will be held in the

Freeholders' conference room which is a room smaller than the Lower Makefield Township meeting room. Mr. Fritchey stated he finds it hard to believe that will be the Final document. Ms. Reiss stated that is how the Bridge Commission also worked. Mr. Fritchey stated he finds it hard to believe that they do not have a document drafted two weeks in advance of the meeting, and that they have not shared it with anyone else. Ms. Guiniven stated they have shared the Preliminary document, and they could provide that copy. Mr. Fritchey asked if Ms. Lichman has specifically asked for this in advance of the meeting, and Mr. Benedetto stated she was not aware of it until today. Ms. Guiniven stated they just became aware of it last week as did the residents from Ewing Township. Ms. Reiss stated this is exactly how the Bridge Commission worked with various stations where you could ask questions, and then they had the Final plan; and you could speak if you registered ahead of time.

Mr. Fritchey stated he feels if our attorney makes a request for the Plan they would be hard pressed not to give it to her. He stated he feels this is also true for the other groups in Mercer County and elsewhere who are interested in this. He stated they cannot expect that they will unveil a multi-page document and that people would be able to respond to it on the spot without having the opportunity to read it. Ms. Guiniven stated she feels it is a good idea to have this request made by multiple groups, and Mr. Fritchey stated our Congressman should make this request as well.

Ms. Guiniven stated the Director of Transportation which has the Airport under him is the brother of the Congresswoman from the District that the Airport is in, so there is a conflict.

Mr. Truelove stated New Jersey has a counterpart to our Right-To-Know Act called the Open Public Records Act, and it may be prudent to try to obtain the information through that; and Ms. Tyler asked Mr. Truelove to do this rather than requesting that Ms. Lichman do this. Ms. Tyler stated they will see what kind of response they get. She stated the cover letter should also state that they are looking for a copy of the Plan in advance of the October 19 meeting so they have the opportunity to review it and make meaningful comment. She stated at least they are documenting that they have requested this.

Mr. Monaghan asked why anyone feels that they will respond to the Township; and Ms. Tyler stated they would still be establishing a Record.

Mr. Kakoyiannis stated the comments they are looking for are from their own constituents; and while our comments will be heard, they will have little weight. Mr. Fritchey stated he feels their constituents would want it as well. Mr. Kakoyiannis stated they are establishing a Record so that when they are at the Secretary of Transportation's Office, they can set out what out they have done.

Mr. Monaghan stated there was an announcement that Frontier is going to expand out of Philadelphia to Jacksonville and a few other locations, and departure time will be 4:30 a.m.; and that could be here as well if we do not stop this.

Ms. Guiniven stated Mr. Hughes stated in the article that they are going to do an Environmental Assessment; and they know from years past that they did an Environmental Assessment but did not take Pennsylvania into consideration, and that was the lawsuit many years ago. Ms. Guiniven stated they should be able to get a copy of the specifications for the Environmental Assessment to make sure that they are covering the environment within “x” miles including Pennsylvania and what the environmental issues are. Mr. Truelove was asked to request this as well in his letter.

Mr. Truelove stated he feels a Federal Environmental Assessment request would be appropriate at some point as well.

Mr. Benedetto stated he feels they need to bring on Mr. Williams since there is a defined period of time as it relates to the Master Plan coming out in fifteen days. He stated he feels they should set a Budget limit for Mr. Williams and have him do what he has an expertise in. Ms. Guiniven stated the Budget limit would be \$15,000. Ms. Tyler stated they should have a “do not exceed” figure. Mr. Truelove stated he would be willing to try to coordinate this upon his return next week as he will be out of town the next few days. Mr. Benedetto asked if they would then have to vote on this at a Public Meeting which would mean that it would be a day before the Master Plan comes out; and Mr. Truelove stated they could ratify it then if it was arranged beforehand.

Mr. Kakoyiannis stated the Third Circuit allows Oral Argument, and Ms. Lichman may be coming into Newark to argue the Case; and if she comes in prior, maybe a meeting by the Board with her face-to-face would be helpful.

Mr. Lewis moved and Mr. Benedetto seconded to employ George Williams for consulting on our Lower Makefield Township Airport Task Force subject to a cap of \$15,000 which is not to be exceeded under any circumstances.

Ms. Guiniven stated Mr. Truelove is keeping them informed about the state of Oral Arguments. Mr. Truelove stated the Oral Argument is not fixed; but if it is going to occur, it is going to occur around November 13th or 15th in Newark although the Court has not advised anyone yet whether they are going to grant Oral Argument, but they have asked for a date certain if they are going to grant it. He stated he hopes to find out within the next few weeks. He stated if Ms. Lichman is here, they could arrange for a meeting with her.

After further consideration, Mr. Lewis withdrew his Motion.

Mr. Fritchey moved and Mr. Lewis seconded to solicit a proposal from George Williams delineating the scope of employment and a fee cap of \$15,000 or less that is acceptable to Lower Makefield Township for assistance on the TTN Mercer Airport issues.

Ms. Sue Herman, President of Residents for Regional Traffic Solutions, Inc., stated if it were not for the launching of the LMT Task Force, the twenty years of BRRAM, and the hiring of Ms. Lichman what they saw at the second public meeting would have been the Final Master Plan. She stated what is being rolled out on October 19 is the Final Plan. She stated the Delaware Valley Regional Planning Commission (DVRPC) is a major proponent of this expansion, and they have lost their “moral compass” again as has Mercer County given that we are not given the courtesy of a draft. Ms. Herman read from the Delaware Valley Regional Planning Commission’s July, 2014 publication with regard to the Trenton Mercer Airport. Ms. Herman stated the FAA has also failed to put on pressure to do the Environmental Impact Statement that was required. She stated the DVRPC has designated Trenton Mercer Airport as an International Airport.

Ms. Herman stated she also heard that Amazon may be looking at using the Airport; however, Ms. Guiniven stated someone mentioned that New Jersey was courting Amazon, and the comment was made that if Amazon were to move in next to the Airport and expand the Airport, they might use that as a transportation hub. Ms. Guiniven stated they are using Allentown right now; but they are looking for a headquarters, and while it is a concern, it is not anything that is happening right now. Mr. Benedetto stated there was a comment that they had a large facility in Robbinsville.

Ms. Herman stated if they are unchecked, she is sure that we will be having flights even earlier than 4:30 a.m. coming out of that Airport. Ms. Herman read from the article written by Mr. Hughes including the fact that 90% of the project is funded by the FAA with the remaining 10% coming from Mercer County. Ms. Herman stated the Township is fighting a “formidable foe,” and she asked that the Board hire Mr. Williams and not to stick to the \$15,000 cap if more is needed. Ms. Tyler stated they are doing what they can, but the bills are starting to stack up. Ms. Herman stated if this Airport expands unchecked, there are only so many air slots for planes to utilize; and expanding the Airport will widen the cone and lower altitudes will mean that planes will be flying lower over Pennsylvania as the main runway faces this direction. She stated lower flying will mean planes will be flying over our Schools which will interrupt education and frighten the students. She stated property owners are not able to enjoy their properties due to the noise levels currently. She stated research has also shown that Real Estate values can decrease

proportionately based on the noise level experienced from an airport. She stated reduction in property value is 16% to 29% conservatively. She stated the residents elected the Board of Supervisors to protect our health, safety, and welfare; and she implored the Board to take out all stops so that the Board can do that with the Trenton Mercer Airport.

Mr. Alexander Bruschini, 573 Hammond Drive, stated he formerly worked for Frontier Airlines as their Night Supervisor for over a year; and he asked how much money they have spent suing the Airport. He stated he got his Pilot's License out of Trenton Mercer Airport two years ago, and his grandfather built jet engines at the Airport forty-six years ago; and he noted all the planes that flew out of the Airport that were extremely loud. He stated they are now complaining about an Airport that uses plane engines that are the quietest ever in history, and he asked why they are continuously suing the Airport. He stated statistically the most people who use this Airport are from this area. Ms. Tyler stated it is because we have no representation in New Jersey and have no voice there.

Mr. Bruschini stated his home is under the approach of one of the runways, and he described how high the planes have to fly. He stated they cannot fly lower than a certain amount, and they do not fly over William Penn. He stated facts are being put out that are not true. He again asked how much the Township has spent suing the Airport, and Mr. Benedetto stated Ms. Lichman's bills to date are \$67,000. Mr. Fedorchak stated going back several years and adding in Ms. Lichman's bill, the Township has probably spent \$180,000. Mr. Bruschini asked why they are continuing to do this. He advised that there is an Airport Master Plan available on line with a Google search. He stated while it is not finalized, it shows what will happen in the future. He feels they should not continue to sue an Airport that is being occupied by LMT on a higher ratio than the people of New Jersey, and most people that fly out of Trenton Mercer Airport live in Lower Makefield Township.

Ms. Holly Bussey, 20 Knoll Drive, commended the Task Force, those from Ewing Township, and BRRAM for working on this. She stated the last three events they have had, they had people from Morrisville, Falls Township, Holland, Newtown, and Tullytown indicating that they are noticing an increase in the air traffic; and that they are concerned. Ms. Bussey stated BRRAM will be presenting a response to Mr. Hughes' comments. She stated having been through this before, while they say that they are going to do an EA or EIS, what they do not say is that they will look at the Airport grounds, and that is all. Ms. Bussey stated BRRAM looks forward to working with the Township's counsel should this come to Oral Arguments.

Mr. Matt Bolger, 219 Taylorsville Road, stated he appreciates the Board's concern for spending money; but he asked that they consider how much has been spent on other issues they discussed this evening which is probably more than the recent expenditures for the legal representation for this issue. Mr. Bolger noted the amount mentioned by Mr. Fedorchak was the amount spent over twenty years for this issue. Mr. Bolger stated he believes that the planes are flying over his house at 500'; and while the residents from Lower Makefield and this whole area use the Airport, they do not live in New Jersey, and are not represented by anyone in New Jersey, and we bear a significant amount of the "pain," but get none of the economic benefit. He stated he wants Mr. Hughes and the Airport to be responsible neighbors.

Mr. Mike Brody stated when the Board of Supervisors started the Task Force, the theory was that they did not fully understand the BRRAM case because the Township was not a Party to the case; and they wanted to bring together the Task Force to evaluate where we were at with the issue. He stated they determined that they should spend \$35,000 for an attorney so they could get the information needed; however, that \$35,000 has increased to \$67,000, and now they may pay \$15,000 for Mr. Williams all to just find out information. He stated the Board must consider how much they are willing to spend. Ms. Tyler stated while this is a good question, she does not feel it would be wise to discuss this in public. She stated she is waiting to see how the Oral Arguments pan out as that could determine the direction the Board takes moving forward. Ms. Tyler stated she does not feel they should discuss their strategy and commitment in public. Mr. Brody asked if that is discussed in Executive Session, and Ms. Tyler stated it could be. Mr. Truelove stated it is a litigation matter so it is appropriate to discuss it in Executive Session.

Mr. Dan Wilcox, Sandy Run/N. Delaware Avenue stated he is a member of BRRAM. He stated they are not trying to shut down the Airport, but they are trying to make them good neighbors and to share the burden of the impact of the Airport with New Jersey as opposed to making it fall solely on Pennsylvania residents and Lower Makefield Township residents in particular. He stated it has been well documented what the costs are of having the airplane flight paths come over your neighborhoods not only for the individuals but also from a Township perspective and the primary source of revenue to the Township. He stated they are not focused on just what the current impact is, but what the impact is projected to be based on the Airport Plan and everything they know about what they would like to do with the Airport. He stated he does not feel they can put a price on their future.

Ms. Tyler stated as some point it will come to a point that if the citizens of the Township are committed to this, they will have to raise funds for it.

Mr. Cox stated he appreciates the support of the Board and the Airport Task Force as well as Quiet Skys Over Mercer.

Mr. Benedetto stated we are getting close the finish line from a litigation perspective; and he feels if they decide not to do anything further or spend any more money, it would mean wasting all the money that they have spent. He feels that the money that was spent in the past was money well spent because BRRAM prevailed in that litigation. He feels they need to see this through.

Mr. Wilcox stated he agrees with Mr. Benedetto, and he hopes the Board of Supervisors recognizes that they have to look into all of these avenues. He stated he hopes that there is enough time to prepare the best possible Oral Argument they can since this may their last chance in Court.

The Task Force was thanked for the work they have put into this issue.

Motion carried unanimously.

UPDATE ON DOG PARK

Mr. Eisold stated the electric line and conduit have been installed and site grading of the parking lot and the entrance area is under way. He stated the next step is to pour the concrete entrance pad, work on the parking lot, and then the fence installation.

Mr. Benedetto stated with regard to fundraising, he believes \$37,000 has been raised with more to come at a number of different fundraisers including one on Wednesday, October 18 at Guru's Indian Restaurant in Newtown with all proceeds going to the LMT Dog Park. Mr. Benedetto stated he understands Michael's Jewelers just contributed \$1,000 for a fire hydrant for the small dog park.

Ms. Tyler stated the Dog Park Committee is doing a great job.

Mr. Fritchey asked about the timeline, and Mr. Eisold stated they were looking for completion sometime in mid to late November in the original schedule; and since there is not much to be done, it could be before then. Ms. Tyler stated this does not mean that they would be operational since there is still work that needs to be done with the software, membership cards, etc.

Mr. Fedorchak stated the new Director of Park & Recreation, Monica Tierney, is working very hard at getting everything needed in place for the Dog Park. He stated there a number of items that have to be installed, and she is also working very hard getting the Community Center up and running as well. Mr. Fedorchak stated she is advancing a number of major projects simultaneously. He stated he is not certain they know when the Dog Park will be complete enough such that they

can allow it to be used; and when they get closer to a point where they have a good feel for that with regard to the construction aspect, he feels Ms. Tierney will have everything else ready to go with the security system, membership, etc.

UPDATE ON 2017 ROAD RESURFACING PROGRAM

Mr. Eisold stated the Program is nearly complete. He stated two of the three pathways they discussed previously have been completed. He stated Mill Road bike path should be completed early next week at the latest. He stated there are still some punch list items and cleanup work to be done; but for the most part the paving work has been completed to date.

Mr. Truelove stated the Board of Supervisors met in Executive Session beginning at 7:00 p.m. and items of litigation, personnel, Real Estate, and informational items were discussed.

ZONING HEARING BOARD MATTERS

With regard to the Daniel Bornstein Variance requests for the property located at 751 River Road in order to permit construction of a one-story addition within the flood zone setback with less than the required minimum elevation required by FEMA, and expansion of a non-conforming residence, it was agreed that the Township will participate.

SUPERVISORS REPORTS

Ms. Tyler stated the Roll and Stroll at Memorial Park will take place on October 14 beginning at 10:00 a.m. She stated the young lady who did the flyer for young people regarding the Garden of Reflection will be at the event.

Ms. Reiss stated Farmland Preservation met, and they have over a 10% return on their investments. She stated they have written letters to those who have bamboo encroaching on the farmland; and if they do not get a response, she feels they will come to the Board of Supervisors. Ms. Reiss stated she advised them that the Ordinance is in place so that they can go forward in a manner that they feel is best as a landowner. Ms. Reiss stated Special Events is working on the Veterans Day Parade, and they are going to be including children who will be decorating their bikes and wagons. She stated the Parade will be on November 12, and community groups are invited to participate.

Mr. Benedetto stated the Planning Commission passed Public Notice of Adoption of the Yardley Borough Act 537 Plan for a thirty-day public comment period for residents of LMT to review and provide comment. Their approval was subject to the Sewer Authority's approval.

Mr. Benedetto asked Mr. Rubin to provide an update on the Electronic Media Advisory Committee. Mr. Rubin stated there has been a lot of misinformation going out on social media on a number of Facebook sites, and EMAC discussed ways to bring out accurate information; and they feel that they should re-visit an official Facebook page for the Township of Lower Makefield. He stated they have been asked to address the Budget Hearing Committees which are coming up soon for the Township to hire either a Communications Director who would be in charge of day to day updating Facebook information or having a current employee designated to be a communications conduit to get the official word out so that they do not have all of the misinformation that is going out on the Facebook pages. Mr. Benedetto asked that they make this an Agenda item for October 18. Ms. Tyler stated she spoke to an individual today who is a communications professional, and she will have a meeting set up with him, herself, and Ms. Tierney. She stated she will also invite Ms. Lisa Gage to attend as well. She stated she feels they should come up with a communication policy before they include having a Facebook page as an Agenda item.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to appoint Eric Rockenbach to the Historic Commission.

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to appoint Mark Goodman to the Finance Committee.

APPROVE APPOINTMENT OF JPM AS EXECUTIVE SEARCH FIRM TO REPLACE TOWNSHIP MANAGER

Ms. Tyler stated she, Mr. Lewis, Mr. Truelove, and Chief Coluzzi, interviewed four different corporate search agencies to help replace the Township Manager; and after interviewing them they decided to recommend to JPM.

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to appoint Jersey Professional Management to be the executive search firm for the replacement of the Township Manager for a flat fee of \$13,500 with the Township paying advertising costs as needed.

OTHER BUSINESS

Ms. Reiss stated Newtown Quilters' Guild will hold their show this year at the Lower Bucks Masonic Hall at Heacock and Edgewood Roads on Saturday, October 14 from 9:00 a.m. to 5:00 p.m. and Sunday, October 15 from 10:00 a.m. to 5:00 p.m. She stated this is their main fundraiser. She stated they are a philanthropic and educational guild. She stated there will be over 200 quilts on display, a raffle quilt, demonstrations, raffle baskets, and vendors. She stated the donation is \$8, and children under 12 are free. She stated there are also group rates. She stated information can be found at Newtown Quilt Show @gmail.com.

There being no further business, Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to adjourn the meeting at 11:00 p.m.

Respectfully Submitted,

John B. Lewis, Secretary