

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 18, 2017

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 18, 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 HONORING DONNA LINEY, PARK AND RECREATION DIRECTOR,
ON HER RETIREMENT

Ms. Tyler stated Donna Liney has been a long-time Township employee, and the Director of the Park & Recreation Department. She stated she is probably the Township employee who has the most interface with the residents and the most diverse job duties. Ms. Tyler stated tonight they are sadly accepting her retirement and honoring her with a Proclamation.

Mr. Jason Simon, 514 S. Ridge Circle, stated he worked with Ms. Liney for many years, and he does not feel the sports Leagues could have done all that they did without her. He stated she was a wonderful partner in what they were trying to achieve, and she always put the community first. He stated they all wish her well in her well-earned retirement.

Mr. Sean O’Hara thanked Ms. Liney on behalf of YMS for all her efforts.

Mr. Dave Gordon, Chair of the Park & Recreation Board stated Ms. Liney is the heart and soul of Park & Recreation in the Township. He stated the Township’s system is one of the prides of the Township, and many people have come up to him praising the Township’s facilities. He thanked Ms. Liney for all her efforts working with the Park & Rec Board making sure what they wanted to get done did get done. He thanked her for her many years of service.

Mr. Fritchey stated a lot of wonderful things happened in the Township over the time Ms. Liney worked for the Township, and the whole community benefitted. He stated she did her job with the best interest of 33,000 people in mind every day.

Ms. Tyler read the Proclamation into the Record.

Ms. Liney stated there she has worked with so many people over the twenty-three years, and she thanked everyone including the user groups, the residents, the management, Township Supervisors, and the Park & Recreation Board. She stated it has been a “dream job” which she really enjoyed.

PRESENTATION OF \$4,000 FROM BUCKS COUNTY BUSINESS CONNECTIONS TO LOWER MAKEFIELD TOWNSHIP COMMUNITY FOUNDATION FOR THE GARDEN OF REFLECTION MAINTENANCE

Mr. Bruce Clark, Mr. Greg Kay, and Mr. Pete Toft were present. Mr. Clark stated they are members of a small group of business professionals in Lower Makefield who come together to help their businesses grow in the community where they work and also to help the community where they work. He stated they donate to numerous charities through this year, and this year on September 9 they held their first annual spaghetti dinner; and it was very successful, and they hope it will grow over the years. He stated this year they are presenting a \$4,000 check to Lower Makefield Township Community Foundation to help maintain the Garden of Reflection Memorial.

Ms. Tyler thanked them for their efforts and giving back to the community particularly the Garden of Reflection. She stated they look forward to attending the event year after year and to offer support should they need it to run the event in the future.

Ms. Lisa Huchler-Smith and Ms. Barbara Williams from the Disabled Persons Advisory Board were present. Ms. Smith thanked everyone for participating at their first Roll and Stroll event where there was a great turn out. She stated the families who attended were thankful that there was an event created to support families with children of all abilities. She stated the inclusive playground was a huge hit, and the YMS Special Stars created a lot of excitement. She noted the number of vendors who came out to share information and discuss community support available to families in the area. She also thanked Representative Perry Warren and P. J. O'Brien for attending and speaking to families, and Ms. Tyler and Mr. Lewis for attending and helping with the event. Ms. Smith noted the presence of the Girl Scout who provided the pamphlet for children she had created on the Garden of Reflection.

Ms. Smith also thanked Ms. Tierney and Ms. Liney for their assistance as well as Mr. Jeff Warner from the Advance of Bucks County for covering the event. She stated she hopes to see everyone at their next Roll and Stroll.

PUBLIC COMMENT

Mr. Harold Kupersmit, 612 B. Wren Song Road, stated he had to file an Appeal on his Open Record Request because the Townships and politicians from Lower Bucks County are not cooperating with the potential problem with the waste treatment facility. He stated he provided Mr. Fedorchak a copy so the Township has been officially served. He stated he is asking for all the particulars on all the waste treatment facilities. He stated he feels they will need to re-design the whole process which will be expensive. He stated this is a worldwide problem. Mr. Kupersmit stated there will be an open house on opioids on Monday, and he feels they need to attack the problem from the demand side and not just the supply side.

Mr. Patrick Frain, 16 Delaware Rim Drive, stated he watched the 10/4 Supervisors' meeting with regard to the Quiet Zones; and he understands that there is going to be a group of people who will be monitoring when the train horns are blowing and turning the information over to Chief Coluzzi. Chief Coluzzi stated any citizen that hears a train horn blow can fill out a Complaint Form, and they then turn it over to either SEPTA or CSX or both to look into it to see if it was or was not justified. Mr. Frain stated he has been a locomotive engineer for almost thirty-three years. He stated the Federal Government has a Code that they need to follow with regard to the Railroad, and the Railroads in the area also have an Operating Book which they subscribe to. He stated each Railroad will also have Special Instructions which will narrow things down even more specifically such as the Quiet Zones. Mr. Frain stated there are a multitude of rules that are to be followed, and the engineers are advised to blow their horn if there is livestock on the railroad which could be a reason why the horn is blowing. He stated there is also track work that takes place. He stated the worst thing is to be involved in a human fatality, and he has had many close calls with vehicles on the grade crossing. He stated there are going to be many reasons why the engineer would have to blow the horn, and he would not like this turned into a "witch hunt."

Mr. Benedetto stated the concern he has heard is not when the horn blows but that it is not blowing when there is a situation with deer on the track, etc. or there is misinformation that people felt it was only during the night that they could not blow their horns or that they can never blow their horn even if the gate did not go down. Mr. Frain stated the Quiet Zone would not supersede the Railroad's rules. Mr. Frain stated the gentleman who spoke at the 10/4 meeting indicated that they had heard the horn blow twenty times in an eight-day period, and Mr. Frain stated he could

blow his horn twenty times the first twenty minutes he was on the train as everyday something different happens. He stated the engineers are trained in situational awareness, and there will always be some factor that will require the engineer to blow his horn. Mr. Frain stated he does sympathize with the residents who live near the tracks, and he agrees that train travel has increased with much of it at night; however, the residents may need to temper their expectations at to what they expect at the Quiet Zones.

Mr. Fritchey stated Mr. Frain is indicating that when Railroad engineers blow their horns knowing that there are Quiet Zones, they are not doing so needlessly; and they are doing so because there is a very good reason to do it which is usually safety related. Mr. Frain agreed, and he added that the Code also outlines penalties for misuse of the horn.

Mr. Frain stated when he heard that there was going to be a lot of paperwork involved, he was concerned because someone at the Township would have to respond to the complaints which take time and resources which means tax money. Chief Coluzzi stated they will follow up with the complaints and see the response. He stated they understand that emergency situations take precedence. Chief Coluzzi asked Mr. Frain if the engineer has to make a note if he does have to blow the horn in a Quiet Zone, and Mr. Frain stated he does not. Mr. Frain the horn is for safety.

Mr. Benedetto asked what would happen if a gate did not come down, and he asked if the engineers are notified. Mr. Frain stated according to the guidelines, if there is a gate malfunction, they would get paperwork from a dispatcher; and there is a certain protocol to be followed.

Mr. Fedorchak stated he works at the Township Building which is adjacent to the Edgewood crossing, and he lives in Spruce Mill which is close to the Heacock crossing. He stated ever since the Quiet Zones were implemented, he can count on one hand how many times he has heard the train horn; and it has been a remarkable improvement and a quality of life improvement for all those living along the tracks.

APPROVAL OF MINUTES OF OCTOBER 4, 2017

Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to approve the Minutes of October 4, 2017 as written.

APPROVAL OF OCTOBER 2, 2017 AND OCTOBER 16, 2017 WARRANT LISTS AND SEPTEMBER, 2017 PAYROLL

Ms. Reiss moved, Mr. Benedetto seconded and it was unanimously carried to approve the October 2, 2017 and October 16, 2017 Warrant Lists and September, 2017 Payroll as attached to the Minutes.

DEBT DISCUSSION AND MOTION REGARDING LOCKING INTO FIXED RATE AND REFINANCING SUMMARY

Mr. Jamie Schlesinger, PFM Financial Advisors LLC, was present and stated currently there is \$43 million of outstanding principal which is the combined fixed and variable rate debt; and of that \$11 million is variable rate. He stated it is a low interest rate; but because it is variable, there are risks associated with that debt. He stated they need to discuss the steps they can take to reduce the risk. He stated the variable debt is through the Del Val Regional Finance Authority, and about \$8 million of that debt is related to the Golf Course and the balance for some other items.

Mr. Schlesinger stated the debt matures in about fifteen years. He stated currently there is a good Bond market and the ability to lock in fixed rates in the Bond market has value. He stated currently the variable rate is 1.62%, but it could go much higher. He stated they should consider if they would like to lock in the interest rate at approximately 2.5% with a fixed rate Bond Issue which would remove all the risk associated with this debt. Mr. Schlesinger stated they would like to structure the debt and keep it relatively close to what they are Budgeting, but not extend it too much. He stated the current debt matures in 2036, and this debt goes out about fifteen years. He stated it is a good opportunity now based on the Bond market.

Ms. Tyler asked where the Del Val rate has been for the last three to four years; and Mr. Schlesinger stated about a year ago it was probably 1%, and it has gone up. He stated what drives this particular rate is the short-term market, and over the last year the Fed has been raising interest rates; and there is another potential of that happening in December. He stated they need to consider the value of removing the risk.

Mr. Fritchey stated he feels there could be a downgrading of Pennsylvania's Bond Rating, and he asked if that would have an impact on Lower Makefield; and Mr. Schlesinger stated Lower Makefield's rating is what matters most, and we do not have a lot of money coming in from the Commonwealth. Mr. Fedorchak stated it is a very small percentage, and that question does get asked by Moody's; but Lower

Makefield is insulated in most respects. Mr. Schlesinger stated because of the way Lower Makefield does things, Lower Makefield has a very strong credit rating which is why they have strong interest rates on the fixed rates side. Mr. Fedorchak stated going back twenty years, they had variable rates in the 5% range. He stated when they went in the variable rate direction in 2002 and 2004, they were seeing rates starting to decline; and for some time they were at the .6 to .9 range, but they have come up slowly ever since.

Ms. Tyler asked what the difference in the Debt Service would be if they go from 1.6 to 2.5. Mr. Schlesinger stated they would structure it to try to keep it Budget neutral as best they can. He stated they may stretch it out one extra year, and Mr. Fedorchak stated that would keep everything within their forecasting/ budgeting.

Mr. Benedetto stated he would be in favor of refinancing the Debt and locking in the rate. He stated the last time they did a refinancing, they discussed alternating Bond Counsels which he feels is a good idea. He stated the last person who did it was Bucky Closser, and Mr. Benedetto suggested that this time they go back to using Hank Van Blunk who is also in the Red Book and has done refinancing for the Township before. He stated this way one time they have a Bond Counsel who is favored by Democrats and the next time one that is favored by Republicans.

Mr. Lewis stated they are looking at 10.275 of the Del Val indebtedness; and if they increase the rate from 1.62 to 2.5 it would be \$90,420 a year. He asked if they had a 40 basis point hike in December or even half a percent, what would the impact likely to be on the Bond at that point. Mr. Schlesinger stated if they move forward with this, there is a good chance they could lock in the rates prior to December if they move quickly. Mr. Lewis asked if the rate would then be sub 2.5, and Mr. Schlesinger stated they would do a competitive process like they have in the past. He stated the particular auction that they do would allow them to keep the interest rate as low as possible, and he feels he is conservatively estimating it at around 2.5; but it is possible that it could be lower than that although he cannot predict the exact rate. He stated with the Township's strong credit and with this size and term and given where the market is, he feels they would have a strong auction and a number of underwriters who would bid on this and hopefully reduce the interest rates during the course of the auction.

Mr. Lewis noted Column 6 on the last page, and stated the Budget impact on a refinancing means that in 2018 it is an extra \$300,000 and 2019 an extra \$400,000; however, Mr. Schlesinger stated 2018 would actually be an extra \$50,000 to \$60,000. Mr. Lewis stated it would be roughly \$60,000 to \$100,000 a year.

Mr. Schlesinger stated the interest based on Budget is going to go up, and the question is what is the value of certainty. He stated they are hoping to minimize the impact from a Budgetary standpoint, but they would have their taxes set in a fashion that it would not change anything since it will ultimately drop off in 2032/2033.

Mr. Benedetto stated it is the fear that the variable rate could go as high as 15%. Mr. Schlesinger stated even if it went to 5%, it would be a significantly greater Debt Service. Ms. Reiss stated she does not feel it is realistic to think rates will go lower.

Ms. Tyler asked if they will have to get re-rated, and Mr. Schlesinger stated they will.

Mr. Lewis stated they are “taking a bet” that they feel interest rates will rise. He stated even if there is a ½ percent increase in December, it is not clear that there would be an immediate ½ percent increase in the Bond rate; and Mr. Schlesinger stated generally speaking the Bond market is driven by the supply and demand. He stated rates were going up and after November, rates were up almost 1% from the low of July of last year. He stated they had a number of re-financings that disappeared because the Bond market went in the wrong direction. He stated he is not predicting that will happen this December, but it did rise pretty significantly last year. Mr. Schlesinger stated there are a number of factors that drive interest rates. Ms. Lewis stated it also involves confidence and perception.

Mr. Benedetto stated he feels it is important to do this now because approximately 80% of the debt they are considering refinancing is Golf Course debt, and a change to the Debt Service for the Golf Course could be much more significant than any General Fund change because that is so contingent on how the Golf Course is performing. He stated if the Golf Course had a significantly greater Debt Service it would be a significant burden on the Golf Course so he feels it is important to mitigate that risk with rates still as low as they are.

Mr. Lewis asked if there is an option to smooth the Bond out so that the Debt Service is stable and push that into later years, or do they have to straight line it.

Mr. Schlesinger stated it is an overall Debt impact which will be generally level or declining, and this is a Commonwealth of Pennsylvania requirement; and we are meeting that standard. He stated what he had discussed earlier was with regard to the refinancing side, how much could they stretch out the Debt; and they can go out the extra year.

Mr. Lewis asked if the Township received a significant amount of money through a change in policy, if they were to pay down Debt sooner could they go after the higher interest Debt first; and Mr. Schlesinger agreed. Mr. Lewis asked which would that be, and Mr. Schlesinger stated there are a number of issues which total the

\$43 million of outstanding Debt. He stated some Debt has Call Provisions at certain times, and he noted one that goes out in 2026 so that would be a driver as well; and it is not just the interest rates. He stated they would analyze that for the Township if they were to receive a significant amount of money to find out which one made the most sense economically or they could also bank the funds. Mr. Lewis stated the reason he is tentative about this is because he runs 100% variable, and it has worked for him for over twenty years in terms of managing total interest payments.

Ms. Tyler stated she feels that if they can stabilize this Debt by extending it a year, and she feels it is a wise move.

Mr. Benedetto moved and Mr. Fritchey seconded to authorize PFM Financial Advisors LLC to investigate refinancing of debt as described and present recommendations to Lower Makefield Township accordingly, including the preparation of Preliminary Official Statement and other necessary documents to facilitate and accomplish said refinancing.

Mr. Kupersmit stated the \$11 million is at 1.62, and if they refinance, they will pay 2.5. Ms. Tyler stated they can make it Budget neutral by extending the term for one year. Ms. Tyler asked Mr. Kupersmit what he would suggest, and Mr. Kupersmit stated he would be inclined to stay with the 1.62. Mr. Benedetto stated the rate has increased recently. Mr. Kupersmit stated the demand is not there as the public does not have the money. Mr. Benedetto stated this is the last remaining piece of variable rate debt. Mr. Kupersmit stated he does not believe interest rates will go above 3 although he agrees they would be “trapped” if interest rates start going up so this is not an easy call as to what to do.

Motion carried unanimously.

APPROVAL OF HANK VAN BLUNK AS BOND COUNSEL

Mr. Benedetto stated there have been things done in the past for political reasons, and he feels it is a good policy to alternate Bond Counsels when they do a refinancing. He stated there are two Bond Counsels who are qualified to do the job in the Township, and the last person who did it was Bucky Closser. He stated he does not feel there is a difference in rates, and he feels they would both guarantee the same rate.

Mr. Benedetto moved and Ms. Tyler seconded that Hank Van Blunk, from Eastburn and Gray, be the Bond Counsel for this refinance.

Mr. Fritchey stated he believes that there are more than two, and Ms. Tyler stated there are two that they have been using. Mr. Truelove stated Mr. VanBlunk, Mr. Closser, and Mr. Magyar from his office are all very capable Bond Counsel; and there are others as well that are with local firms in Bucks County.

Ms. Reiss stated she would not want to make a change without having open interviews, and those interested should apply as there are other agencies that might want to come in. Mr. Benedetto stated Mr. Closser and Mr. Van Blunk are the ones that have been doing the refinancing. He stated he is recommending this to be consistent since this is what he indicated they should do the last time they had a refinancing, and no one objected to it when it was Mr. Closser. Mr. Benedetto stated Mr. Closser did a good job, and this has nothing to do with his qualifications; but he feels it is a fundamental fairness issue and takes politics out of the decision. Ms. Tyler agreed that as a Board they had done the alternating in the past. Mr. Reiss stated she still feels they should open it up to see if there are others who may want to give the Township better pricing.

Mr. Schlesinger stated there are certain firms that do this type of work which is a specialized business. He stated there are local and regional firms if they want to go through an interview process; however, that process would take time, and timing is everything with these transactions.

Mr. Fritchey asked the amount of Counsel fees, and Ms. Tyler estimated it to be \$15,000; and Mr. Truelove stated it would come out of the proceeds of the Bond issue itself.

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

APPROVAL OF ORDINANCE NO. 406 ADOPTING INTERGOVERNMENTAL AGREEMENT APPLICATION TO DEP FOR RECYCLING PROGRAM PERFORMANCE GRANT

Mr. Truelove stated previously they authorized the advertisement of this Ordinance which will enable the Township to participate in the Grant program for recycling. He stated it was properly advertised and is ready to be considered for approval tonight.

Ms. Reiss moved, Mr. Fritchey seconded and it was unanimously carried to approve Ordinance No. 406.

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

SUPERVISORS REPORTS

Ms. Tyler stated the Historic Commission is once again doing a Garden of Stones Tour which is a guided tour with reenactors through the Slate Hill Cemetery. It will take place on Saturday, October 28 from 4:00 p.m. to 7:30 p.m. More information can be found on the Township Website.

Mr. Fritchey stated the Park & Recreation Board made certain recommendations concerning use of the Community Center including recommendation on Fees which will be discussed later this evening.

Ms. Reiss stated Farmland Preservation is working on making sure that any bamboo that is on Farmland property is gone, and they are trying to work with neighbors to make sure nothing creeps back. She stated the Veterans Parade will be on November 12, and they are bringing back having children on their decorated wagons and bicycles. Ms. Reiss stated she is a member of the Newtown Quilters Guild, and this year they moved their Quilt Show to Lower Makefield; and it was the best attended show that they can remember. She stated they are looking forward to being able to meet in the Community Center for meetings and workshops. She stated they are an educational and philanthropic group. She thanked those in Lower Makefield who supported them.

Mr. Lewis stated the Golf Committee met and reviewed the finances for the Golf Course for September; and because of the weather, they improved the number of rounds played which was helpful for offsetting some of the earlier year bad weather and the restoration they were doing to the main hall. He stated on Friday the Second Annual Makefield Highlands Fall Classic will take place. He stated there is also a dinner afterwards which all are encouraged to attend. He stated information can be found on the Township Website. Mr. Lewis stated Monday will be the Opioid Town Hall Meeting to be held at the Woodside Church from 7 p.m. to 9 p.m. Mr. Lewis stated the Zoning Hearing Board met and dealt with a unique situation in the floodplain, and they came to a Decision which was fair to everyone involved. Mr. Lewis stated the EAC encourages everyone to come to the Township Building on Saturday, October 28 starting at 10:00 a.m. to hear Mike McGrath from WHY? discuss composting. He stated they will also be accepting Styrofoam for recycling.

Mr. Benedetto stated the Citizens Traffic Commission met and discussed the Makefield Road safety analysis. He stated an e-mail was sent to the Supervisors and TPD requesting that certain issues be included in the analysis. He stated these involved enhancements to the School Zone and concerns of citizens regarding the crosswalk. Chief Coluzzi stated while he will make sure much of what they have requested is included, there were some items they requested which they cannot

include which deal with distracted drivers, and some other items about which the engineers would not be able to provide a professional response. Mr. Benedetto stated Mr. Wursta has indicated that the Study data collection is complete; however, Chief Coluzzi stated he understands that some of it is complete, but it has not all been put together or looked at in total. Mr. Benedetto stated the CTC also discussed the Petition to PennDOT regarding weight restricting trucks on Taylorsville, Main Street, Yardley-Morrisville, and River Road; and PennDOT did accept the request of Yardley Borough, Morrisville, and Lower Makefield Township regarding the study to weight restrict trucks on those streets. He stated there was a concern raised by the CTC of having an impact on neighborhoods where that traffic could be re-directed.

Mr. Benedetto stated there was also a question with regard to the chicanes and Sandy Run Road. Chief Coluzzi stated they were supposed to start the installation on Friday; however it had to be moved back to Tuesday of next week. He expects that some lines will be removed and some lay out for the chicanes will start on Tuesday.

Mr. Benedetto stated tomorrow night the New Jersey Freeholders are meeting to present the Master Plan for the Airport. He stated there was a recommendation that Lower Makefield have a presence there. He stated the Task Force members have indicated that they will be there. Mr. Benedetto asked if they should check with their Counsel if it would be advantageous for Task Force members to ask questions at the presentation and if that is appropriate. Mr. Truelove stated they do have Public Comment, and he could e-mail Ms. Lichman and copy the Task Force about this; and he does not feel she would counsel against any questions provided there is a format for doing so. He stated they did try to obtain the Report prior to the meeting, but were unable to do so.

Mr. Benedetto stated the Planning Commission will meet on Monday, October 23; however, he does not know if the Comprehensive Master Plan is on that Agenda. He stated he believes that the Municipalities Planning Code requires that the Master Plan be updated every ten years, and our last update was in 2003; and Mr. Truelove agreed. Ms. Tyler stated she worked with the Planning Commission on the Master Plan years ago, and it has been “languishing.” Ms. Benedetto stated he understands they were waiting for feedback from the Bucks County Planning Commission. Ms. Tyler stated there has been a lot of turn-over at the County.

Ms. Sue Herman asked Mr. Truelove if he could ask Ms. Lichman what questions she feels would be appropriate to be asked, and Mr. Truelove agreed to e-mail her tomorrow and copy the Task Force members.

DISCUSSION AND MOTIONS ON PARK AND RECREATION BOARD FEE
RECOMMENDATIONS

Ms. Monica Tierney was present. She stated the Park & Rec Board recommended the Dog Park Rules which were provided to the Board of Supervisors. She stated they also recommended that the Fee be \$35 for residents for up to two dogs and \$50 for non-residents for up to two dogs, and \$10 for each additional dog. She stated the Park & Rec Board also recommended User Fees for the Seniors at the Community Center. She stated for the first year it would be a \$5 User Fee for the remainder of their fiscal year up to 8/31/18; and starting 9/1/18 it is recommended to be \$15 for residents and \$20 for non-residents annually.

Ms. Tyler asked how they came up with these Fees. Ms. Tierney stated with regard to the Dog Park Fees, there were a recommendation from the Dog Park Committee which did an analysis of all the local dog parks; and what they are recommending is fairly low compared to some of the dog parks, but is average compared to the more local dog parks so she feels it is a fair recommendation for the community. She stated in Doylestown they charge \$50 for residents for one dog and \$60 for non-residents for one dog.

Ms. Tyler stated the Dog Park Committee is having a fundraiser this evening continuing their extraordinary efforts raising funds.

Mr. Fritchey stated they did discuss the fact that they were new to running a dog park, and there may be some trial and error; and if circumstances and finances warrant it, there may be some adjustments in subsequent years with regard to Fees.

Mr. Lewis asked the cost of the key fob. Ms. Tierney stated she met with Doylestown's Park & Rec Director yesterday, and the key fobs cost \$20 per key fob. Ms. Tyler stated she feels there should be a separate key fob fee, and if it is lost they would have to buy a new one. All Board members were in favor of a separate key fob fee.

Ms. Reiss stated she feels that the Dog Park rules need to be discussed as some of them seem to be more strict than other dog parks. She noted specifically the rule against non-neutered male dogs since female non-neutered dogs are not restricted.

Mr. Fritchey moved and Ms. Reiss seconded to set the fees for the Dog Park at \$35 for residents for up to two dogs and \$50 for non-residents for up to two dogs and \$10 for each additional dogs for both residents and non-residents and a \$20 key fob fee.

Mr. Mike Brody, 509 Brookbend Court, asked if there is a maximum number of users permitted at the Dog Park; and Ms. Tierney stated she asked Doylestown about this, and they indicated they have never had capacity problems. Ms. Tierney stated she was advised that they sold 1,500 key fobs at Doylestown.

Motion carried unanimously.

Ms. Tyler asked Mr. Truelove if the Dog Park rules have to be formally adopted; and Mr. Truelove stated he was going to suggest that they not adopt them specifically as they may be subject to modifications and changes, and he would recommend that they defer that to the Park & Recreation Board so they can implement them on an as-needed basis. He stated he and Ms. Tierney have discussed some possible language to be included.

Ms. Tyler stated with regard to the Community Center Seniors User Fee, Ms. Tierney has provided information to the Board that it is the recommended that it be \$5 per person regardless of residency from now through August 31, 2018 which is the Seniors' fiscal year, and thereafter it would be \$15 per resident and \$20 per non-resident.

Ms. Reiss stated she feels that people need to be aware that the Seniors that have a dedicated space which is different from someone renting space one or two times.

Mr. Fritchey moved and Ms. Reiss seconded to set the Fees for the Seniors as outlined for this year to be \$5 through their fiscal year 2018 and \$15 for residents and \$20 for non-residents thereafter.

Ms. Reiss stated the Seniors are currently at the Township Building six days a week. Ms. Tierney stated they also have priority scheduling like PAA, YMS, and the other user groups have. Ms. Tierney stated another set of Fees will come out in the future, and this is just the first phase to be able to move the Seniors into the Community Center; and they need to establish these Fees in advance of their move in. Ms. Tierney stated the Seniors also asked that they try to lock the Fees in for the next three years, and this was in the recommendation although she is not sure that is something that the Board would want to consider.

Mr. Lewis asked how many Seniors would be subject to a Fee right now, and Mr. Benedetto stated as of September 20, 2017, there are 221 Lower Makefield Township residents and 103 non-residents so there are 324 total members. He stated for the Fee for the fiscal year ending 8/31/18, it would be \$1,620 being generated. He stated for the fiscal year of September 1, 2018 through August 31, 2021 which would be a three-year period, it would be \$6,375 based on the current numbers.

Mr. Lewis asked if the Fee differential for non-residents should be somewhat higher. He also asked how the proposed Fees compare with other Municipalities.

Mr. Benedetto stated he called Northampton which has a Senior Center, and on their Website it says \$20; however, based on a discussion he had with one of their Supervisors it is \$25 and it is not distributed by resident and non-resident, and it is just a \$25 Fee for use of the facility by the Seniors. Ms. Tierney stated some Townships that do not charge a Fee do not absorb some of the other costs, and they expect the Seniors to clean, do their own printing, etc. and these are services that Lower Makefield provides for the Seniors so this Fee will help offset some of those costs.

Mr. Fritchey stated he feels the proposed Fees are “spectacularly nominal.” He stated if they are charging them \$5 a year, they are paying 10 cents a week for their social activities which span six hours a day, six days a week. He stated when they get to \$15 a year for residents that equates to roughly \$.04 a day. He stated this has not been designed to recoup all the expenses they have in running the Community Center, and it is providing them priority over other people just as they charge a Fee to those who are in the Soccer and Baseball/Softball Leagues who pay a User Fee for that privilege; and it also takes a little bit of the weight off the shoulders of the taxpayers.

Mr. Benedetto stated he does not feel they should charge the Seniors a Fee even though it is a nominal fee. He stated it is not a Senior Center - it is a Community Center. He feels they are singling out the Seniors. He stated if it is really a Community Center, he does not feel anyone should have priority. He stated if they are not going to charge YMS, PAA, or any other civic organization to use the Community Center, he does not feel they should be charging the Seniors. He stated he feels it is “insulting” because the Seniors have done a lot for the community, and they have been asking for this for a long time. He stated the first thing they came out with is a Fee for the Seniors. He stated that Fee will go up, and it will not stay at \$15 and \$20 just like the User Fees they charge YMS and PAA which have probably doubled over the years. He stated they are not charging a Fee for people to use Kids Kingdom, the All-Inclusive Playground or the Five Mile Woods; and these are all community assets. He stated they are also not charging fees to use the bike paths, and he feels the Community Center is for the entire community. He stated he does not feel it is like the Pool, the Golf Course, or the fields that PAA and YMS almost exclusively use. He stated he does not feel comfortable with what is proposed.

Mr. Fritchey stated there are other community groups that will be using the Community Center, and they will also be paying User Fees. He stated as a practical matter, the Seniors are not getting use of the entire Community Center for the entire day; and they will be using certain room for six hours a day, six days a week.

Mr. Fritchey stated if it were to be “first-come, first served,” he does not know how they could operate. He stated the Seniors plan to do activities six days a week, and they need to have a designated space in which to do it; and they could not just have someone else coming in and saying they want to take over the Seniors’ space. He stated he feels what is proposed is functional, and the Fee is nominal.

Ms. Reiss stated the Community Center is different than Kids Kingdom as there will be maintenance, utilities, cleaning, etc.

Mr. Benedetto stated he believes based on past discussions that the annual estimated maintenance cost for the Community Center will be \$100,000. Mr. Benedetto stated one of the discussions they had during interviews for the Financial Advisory Committee was about fundraising and revenue-generating activities, and he feels the Community Center is a perfect opportunity to have a public/private partnership; and to look for creative ways to fund the maintenance operation of the Community Center with corporate sponsorship, naming rights, and other things they have talked about with Capital Health and other relationships which could help offset the maintenance costs moving forward. He stated he feels there will also be rental fees, etc. when groups want to come in and use the Community Center for a specific event.

Ms. Tyler stated tonight they are only talking about the Senior Fees, but Ms. Tierney is already working on the Fees for other groups moving forward. She stated they want to get the Seniors situated in the building first, and then they will roll it out to the entire community at the beginning of next year.

Mr. Mike Brody stated he understands the Fees, but his issue is the discrepancy in how they value the land across different entities. He stated Patterson has farmland that is rented out for a five year Lease which is \$115,000 over five years. He stated last year the Township made \$115,000 off of YMS and PAA combined. He stated he has two children who will both probably play sports and he will have to pay a \$15 soccer Fee in the spring for each child and a \$15 soccer Fee in the fall, and he also will pay a baseball Fee in the spring and a baseball Fee in the fall. He stated that is for nine hours in the spring and nine hours in the fall; and when you look at this discrepancy, it is an obvious tax against the sports the way it is assessed. He stated he feels he should get a membership for \$15 for the year to play sports in the Township. He stated he is having to pay User Fees for every single League for every single season, and he does not feel it is right; and it does not equal the value that they give to for-profit businesses. He noted the house at Edgewood which they discussed potentially leasing out for \$1, but they are charging families \$15 for every League they participate in.

Ms. Tyler stated she feels the Park system is very different from Patterson Farm, and the User Fees go a long way toward keeping the Park system running the way they have with the employees they have. She noted those involved in the sports organizations also contribute a lot of volunteer hours, but paying a Fee is one of the ways they are able to keep the Park system premier.

Mr. Benedetto stated he knows there have been ongoing debates over the years about the User Fees specific to the sports organizations, and he feels they should be looked at next year. He stated unlike a number of neighboring Townships, our sports organizations, PAA and YMS, provide the recreational programming for our children. He stated there are other areas where these programs are run by the Park & Rec Department; and ours are run by the sports organizations, and they put in a lot of time and effort and that should be put into consideration and they should consider lowering the Fees or making them more equitable.

Ms. Tyler stated if they lower the Fees, the costs associated with maintaining the fields would be passed onto the taxpayers at large. She stated the idea of the User Fee is to have the users absorb some of the expense.

Ms. Reiss stated they have to do a lot to keep the fields in the state that they are kept in. She stated the Seniors raised money for the Community Center, and they are going to donate the money which will be an offset which is why they are not locking into a five or ten year time since once the money they donate is gone, the price for the Seniors will have to go up. She stated it is a maintenance issue.

Mr. Brody asked if all the money from the Leagues stays in Park & Rec, and it was noted that it does.

Mr. Benedetto stated he feels the User Fees collected are in excess of the maintenance costs; however, Mr. Fedorchak stated he does not believe that is correct. Mr. Benedetto stated he is just talking about the maintenance and not the overall Township costs for Garden of Reflection, etc.; and he is just talking about what YMS and PAA use and maintenance of those fields. Mr. Fedorchak stated he could get those numbers.

Mr. Fritchey stated with regard to the equity of the Fee structure it is impossible to have everyone agree as to what would be equitable. He stated the point is to have the people who get priority usage pay something to defray the expenses that would otherwise be borne entirely by the taxpayers.

Motion carried with Mr. Benedetto opposed.

October 18, 2017

Board of Supervisors – page 17 of 17

APPROVAL OF RESOLUTION NO. 2344 AUTHORIZING A FRIENDLY
CONDEMNATION OF PROPERTY FOR THE PURPOSE OF PRESERVING OPEN SPACE
WITHIN THE TOWNSHIP

Mr. Truelove stated this is the Hildebrand property located at Big Oak and Stony Hill Roads. It will be purchased with Open Space money. He stated in order for the Hildebrands to avoid paying Transfer Taxes, condemnation is the best way to proceed; and a Friendly Condemnation means that they will agree not to file any challenges.

Mr. Lewis moved, Mr. Fritchey seconded and it was unanimously carried to approve Resolution No. 2344 as outlined by Mr. Truelove.

There being no further business, Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to adjourn the meeting at 9:50 p.m.

Respectfully Submitted,

John B. Lewis, Secretary