

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – JANUARY 16, 2019

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 16, 2019. Mr. Grenier called the meeting to order at 7:33 p.m. and called the Roll.

Those present:

Board of Supervisors: Daniel Grenier, Chair  
Kristin Tyler, Secretary  
Suzanne Blundi, Treasurer

Others: Kurt Ferguson, Township Manager  
David Truelove, Township Solicitor  
Andrew Pockl, Township Engineer  
Kenneth Coluzzi, Chief of Police

Absent: Frederic K. Weiss, Board of Supervisors  
Vice Chair  
John B. Lewis, Supervisor

Mr. Grenier stated there is a slightly different Agenda, and the goal is to advise the public of events taking place in the community that not everyone may be aware of so they have added Community Announcements as an Agenda item. He stated a section called Project Updates has also been added and will include an update on major projects taking place in the Township. He stated another new item will be Discussion Items; and while nothing has been included under this tonight, in the future if a member of the Board, staff, or public has an issue they would like to discuss in greater detail, that information can be provided to the Township Manager or a member of the Board; and it could be put on the Agenda with information provided in advance so that they can have an open discussion about whatever that issue may be.

#### COMMUNITY ANNOUNCEMENTS

Mr. Grenier stated if anyone has a community announcement that they would like to include in the future, they should send it to Mr. Ferguson.

Mr. Grenier stated First Friday Fun Night will be held at the Community Center on Friday, February 1 from 6 p.m. to 9 p.m., and it will be a Match Box Car Derby put on by one of our residents.

Mr. Grenier stated the Trenton Mercer Airport Terminal Environmental Assessment Public Meeting No. 2 will be held on January 23, 2019 from 7 p.m. to 9 p.m. at the West Trenton Ballroom, 40 W. Upper Ferry Road in Ewing, New Jersey.

Mr. Grenier stated the Patterson Farm 2019 Calendar is on sale, and for more information on where to get that you can go to [pattersonfarmpreservation.com](http://pattersonfarmpreservation.com).

#### PUBLIC COMMENT

Mr. Grenier stated last year they had a general rule of three-minute guideline for public comment; however, if there is something that needs to be discussed longer, they can look into that. He stated generally he feels three minutes should be sufficient. He stated if there is an issue that would be better discussed with staff, the Board would direct that the speaker discuss it with the Township staff. He stated they could also include it in the future under the new category of Discussion Items so that they can get into the issue in more detail.

Mr. Ralph Nuzzolo, 628 Stony Hill Road, stated at the last meeting when the recycling yard was discussed, there was discussion that the residents of the community would continue to have access to the mulch. He asked if that access will be in the recycling yard on a daily basis or only at the times the recycling yard is open. Mr. Grenier stated the staff has been discussing this over the last few weeks. Mr. Ferguson stated the material will be available; however, it may be that you would have to send an e-mail or call the Township in advance so that they can accommodate the request in a reasonable period of time the same day and make sure that someone is there since it will not be left open all the time. Mr. Ferguson stated this would be publicized with details as to how to contact the Township specifically. Mr. Ferguson stated if there is some other significant event going on so that staff could not be there when someone wants leaf mulch, they may not be able to accommodate them that specific date; however, he does not anticipate that would be the case.

Mr. Nuzzolo asked if they have determined when the recycle yard will be open. Mr. Ferguson stated he and the Public Works Director completed that discussion earlier today, and he provided the information to the Board and was planning to discuss it later during his Manager's Report, and then publicize the information on the Website regarding the days the yard will be open this year. Mr. Nuzzolo asked if he knows the number of days, and Mr. Ferguson stated it would be seven days during the year. He stated they would have spring cleanup days and fall cleanup days - two days each. He stated there had also been concern expressed that the summer would be between those times, and the staff came up with summer drop off days as well. Mr. Ferguson stated the spring clean up days would be

Saturday, April 13 and Saturday, May 11 from 7 a.m. to 3 p.m. He stated they would make sure that everyone who was in line by 3 p.m. would be accommodated. Mr. Ferguson stated the fall cleanup days would be Saturday, September 21 and October 19 from 7 a.m. to 3 p.m. Mr. Ferguson stated they came up with Monday drop off days in the summer, and it would be the second Monday of the month in June, July, and August which would be Monday, June 10, Monday July 8, and Monday, August 12 from 7 a.m. to 3 p.m. He stated that would result in seven days in the year.

Mr. Nuzzolo asked in the event that there was a storm, flood, etc. at some other time would the schedule be modified with additional days possible. Mr. Ferguson stated while he agrees that would be done, he added that he got a call from someone yesterday that the wind blew branches down and asked if the yard could be opened so that they could bring them in.; and Mr. Ferguson stated there was not a big storm that caused this. He stated if there was truly a significant event where there were widespread trees down, the plan would then be to open it to accommodate residents. Mr. Nuzzolo stated on New Year's Day he had half a tree come down, and he had to pay someone a significant amount to get rid of it.

Mr. Bryan Harpine, 901 Hunt Drive, asked if they could summarize what is the issue that required cutting back on the days the recycling yard is open. Mr. Ferguson stated this was a difficult Budget year when they looked at current costs compounded with what the costs will be in the future. Mr. Ferguson stated with regard to the dropped off materials, the Township is now subject to increased regulations. He stated the way they would have to staff the yard in the future would be substantial. He stated while people had questioned whether or not there were people there in the past to make sure what was being dropped off was appropriate, moving forward they would have to have it appropriately staffed. He added that the area is immediately adjacent to a wetlands, and there are certain requirements related to that. Mr. Ferguson stated moving forward any materials that the Township takes, the Township has to pay to have removed. He stated they have looked at the environmental costs, the reporting costs, the removal and cleanup costs, and the fact that trash companies are required, under Act 101, to take yard and leaf materials with conditions. He stated recognizing what the Township was faced with including the increased costs, the environmental costs, etc. his recommendation to the Board was that at this point in time they put limits on this. He stated they have a staff of twelve Public Works employees; and if he had to dedicate at a minimum two employees at all times to control the site, it was too big of a cost to pay given the roads and everything else they have to do to dedicate that many staff people moving forward.

Mr. Ferguson stated this led to discussion about the recycling yard including looking at other Townships to see what they do. He stated they found that what Lower Makefield was doing was far more substantial than what other Townships were doing. He stated the Township will be offering something in the spirit of trying to accommodate the residents who do clean ups, and the Township would bear the cost of that. Mr. Ferguson stated the materials will not be able to sit at the site, and the Township will have to get them removed from the site because of being adjacent to the wetland. Mr. Ferguson stated with regard to the leaf program, that is not being changed, and they will have the fall leaf program and the mulch program recognizing that there will be some caveats with regard to access to the mulch.

Mr. Harpine asked if the drop off opportunity was in last year's Budget since he looked at the Budget and it has not changed that much. Mr. Ferguson stated the recycling portion of the Budget, except for a consultant they need to do the Plastic and Glass Performance Grant, is still there; but as far as the staffing costs, etc. for the recycling yard, that has been removed. He stated they will just have seven days in 2019 as he just outlined. Mr. Harpine asked how many days they had it open last year, and

Mr. Ferguson stated it was approximately 310 days.

Mr. Harpine stated he feels the Township should get a better pulse on the public demand for the drop off. He stated while he understands the issues, he feels what has been proposed is scaled back too much based on public demand; and maybe they could come to some common ground.

Ms. Sandy Nuzzolo, 628 Stony Hill Road, stated she was disturbed with what happened at the last Board meeting when a Resolution was passed with no public comment. She stated she feels that was premature, and they should have at least "first heard us all out" before they decided to make that decision. She stated she felt that her opinion was not wanted because they had already decided they were only going to open it just a couple of days a year, and the Board passed this before the public "even expressed their concerns about it." Ms. Nuzzolo asked if there is a mechanism in place for the people who use the recycling yard to work with the Township to increase the number of days since going from 350 days to seven days is "extreme." Ms. Nuzzolo stated she did include in a letter to most of the Supervisors that Warrington does recycling, and it is open one week a month. She stated the rest of the time they either contract for it or "subsidize the people to dump somewhere else in Jamison." Ms. Nuzzolo asked if it would be possible for the Township to subsidize dumping at Shady Brook Farm; and if you have an ID card and are a Lower Makefield resident, since there are so few of them using the yard, it would be a "lot cheaper for the Township to contract a price and allow the residents to dump there"

on the days that the Township yard is not open. Ms. Nuzzolo stated she would like to have a committee from the community working with people on the Board to study this further and come up with recommendations.

Mr. Robert Abrams, 652 Teich Drive, stated at the last meeting he asked what happened with the \$2 million from the tower and he did not get an answer. He asked if it was put in the General Fund. Mr. Ferguson stated as he noted at the meetings in October, November, and December it was put in the General Fund. Mr. Abrams stated the Township had been getting \$113,000 annually in revenue from the tower lease. Mr. Abrams stated Dr. Weiss had made the comment that “he could make \$50,000 on the \$2 millions.” Mr. Abrams stated it was “thrown into the General Fund ... and the taxpayers get absolutely zero.” Mr. Abrams asked if that is considered proper money management.

Mr. Ferguson stated Dr. Weiss’ description of setting the money aside and how much that could generate was accurate; however, what Dr. Weiss and the other Board members were not aware of was what the overall financial condition of the Township was because of the nature of how it was presented. Mr. Ferguson stated recently Mr. Menard, who previously served on the Finance Committee and has been an auditor, expressed his concern with the Township’s audit. Mr. Ferguson stated what Mr. Menard and the Board missed was that the Township was carrying negative balances for a number of years which lowered the General Fund balance significantly. He stated that was never brought up in the audit with an audit representation letter which would have made the Board aware that the financial condition was far different than what they were aware of. Mr. Ferguson stated they have now put measures in place including Interfund Transfer approval and all the line items seen under the Manager’s Report as well as hiring a new auditor so that the Board can make informed decisions. He stated he met individually with the Board when he went through the financial report, and he does not believe any of them were aware of where the Township was financially since no one told them. Mr. Ferguson stated he believes Dr. Weiss had indicated that he would have liked to take the money from the tower and set it aside and generate an ongoing \$50,000 to \$60,000 a year. Mr. Ferguson stated while he would have ideally liked to do that as well, they realized where the Township was which he presented to the Board and their instructions were “to fix it,” which is what they did.

Mr. Abrams stated he feels that was a short-term fix, long-term loss. He stated this does not do anything for the Township looking forward and is just a “stop gap.”

Mr. Abrams stated he made another phone call to Pennsylvania American Water and asked what they were going to do about crediting residents because they incurred expenses as far as purging their systems. Mr. Abrams stated he was supposed to get a phone call back from their Billing Department about what they were going to do about it. Mr. Abrams asked if the Township has received the information they requested. Mr. Grenier stated at a prior meeting the Board passed a Resolution demanding a root cause analysis, and Pennsylvania American Water did respond that they have to go through DEP first to get approvals, and then they will come before the Board of Supervisors and share the root cause analysis. Mr. Abrams stated he feels the Board should pass an Ordinance that each billing account is entitled to a \$100 credit. Mr. Grenier stated the Township does not have that ability because Pennsylvania American is a private business; however, because they are PUC regulated, Mr. Abrams could file an informal or formal complaint.

Mr. Abrams stated there is also a 25% increase on our sewer bills, and he asked if we are still subsidizing Morrisville and if Morrisville's increase will be somewhat equivalent in dollars as Lower Makefield's since we are contributing to the upgrade of their plant and the expenses of the plant. Mr. Abrams stated he feels that if Morrisville is getting no increase, and we are getting a 25% increase, then we are subsidizing their sewer system and we do not own any property over there. Mr. Grenier stated he is on the Sewer Sub Committee and is the Sewer Authority liaison. Mr. Grenier stated they brought the Morrisville Municipal Authority into the Township in November and went over the existing Agreements in detail as well as every line item in terms of the bills. Mr. Grenier stated in terms of long term planning, they have formed a Sewer Sub Committee which he is a member of as well as Dr. Weiss, two members of the Sewer Authority, the Township staff, and the sewer engineer; and they are going through all of the options they can identify for dealing with the issue including a new plant with Morrisville or something completely different that has nothing to do with Morrisville. Mr. Grenier stated over the next six months they hope to have a plan to move forward so that we can address our sewer bills.

Mr. Abrams stated the Bucks County Water and Sewer bills are very confusing for Senior Citizens with the way the payment portion of the bill is printed and it needs to be flipped over before being put in the envelope. He stated there is a 10% penalty if you do not pay your bill on time, and if it was put in the envelope the wrong way it is sent back by the Post Office and is then late. Mr. Ferguson was asked to look into this.

Mr. Doug Uhlmann, 206 Arborlea Avenue, stated there will be an informational meeting regarding an Elcon hazardous waste site to be held on February 6 at 7:00 at the Fallsington Friends Meetinghouse. He noted the number of speakers who will be present.

Dr. Helen Heinz, 1355 Edgewood Road, stated the Patterson Farm group is “fairly demoralized.” She stated they have been approved as a 501C3 since 2013. She stated the previous Board of Supervisors, previous to the current Board, had “pretty much” authorized them to get started on the Satterthwaite House. She stated they are continuing to pay for liability insurance that the Township had asked them to pay, and they have been doing so for five years. Dr. Heinz stated they also continue to fundraise for their projects including selling the calendars and holding flea markets, and they have several thousand dollars in the bank. She stated they are anxious to get started. She stated on their board they have a local, registered architect who has offered to donate his professional services and they have several master craftsmen in wood who have also volunteered to donate their professional services. She stated they also have master painters and people who do home repairs. She stated their board also has a member who has offered to get certification, at his own expense, on asbestos abatement/removal certified by the State. She stated their board has also secured a standing offer from Sherwin Williams Paint for a free donation of paint for the exterior of the house. She stated they have also received volunteer service proposals from local Township engineers, plumbers, heating and air groups, and security systems. Dr. Heinz stated they also have a project manager who would coordinate the work. She stated people in the Township care about what our “Township’s prime/main house looks like.”

Dr. Heinz stated last week they asked to meet with the Township Manager to review a previous Keystone Construction Grant Application that she previously submitted in 2015 for the Patterson Farm group in cooperation with the Township which was authorized by one Supervisor on the Board at that time and Terry Fedorchak. Dr. Heinz stated they also got letters from various politicians to get the Grant submitted. Dr. Heinz stated it was a \$25,000 matching Grant; however, it was rejected. Dr. Heinz stated she had called to find out why we were rejected, and the reason it was rejected in 2015 for the 2016 Budget cycle was because the review group was confused because they had submitted as further documentation for the project a structure report from 2006 by Ms. Stark on the condition of the house. Dr. Heinz stated the number one item on that report was roof repair, and the review committee was wondering why we were asking for \$25,000 for structural replacement when we should have been repairing the roof. Dr. Heinz stated there has to be one specific project that the State donates funds to; and we were asking for the structural repairs to be done. She stated they had estimates for that in the amount of \$10,000, and were also looking at other structural repairs. Dr. Heinz stated today an architect is telling them that the structural repair would cost approximately \$12,000 to \$15,000 because it has been another six years and we have not done anything. Dr. Heinz stated the reason for that rejection was her fault since she had not written in that the roof had been repaired from a previous Grant that happened in 2009 when the roof was replaced.

Dr. Heinz stated the second reason the Grant was rejected according to Karen Arnold was that the review board felt that there was not sufficient support from the Board of Supervisors. Dr. Heinz stated she had not thought that they needed to get letters from everyone on the Board that would indicate that the constituency backed this project. Dr. Heinz stated she had not gotten letters from the public and had just gotten letters from the politicians, and there was only one Supervisor who wrote a letter of support; and that was not enough.

Dr. Grenier stated there is something related to this on the Agenda this evening, and he asked Dr. Heinz to complete her comments at this time.

Dr. Heinz stated they had asked to meet with the Township Manager, and she heard that he indicated that since we did not have a \$100,000 Grant match since he felt the construction project had to be \$100,000 “it wasn’t worth the time to do that.” Dr. Heinz stated she feels the Township Manager should meet with any bona fide group in Lower Makefield Township. She also stated she feels the Budget indicates they have already spent \$15,000 for this cycle at the Patterson Farm on some project, and there are small repairs in the current Budget for some projects that are unspecified for the Patterson Farm. She stated whatever amount that is in the next Budget, she hopes that they could match that contribution from the Township, and “our monies and our donations and get the restructuring of the house done now.” She asked that the Board ask Mr. Ferguson to meet with some members of her group to see if they can re-submit the 2015 Keystone Construction Application Grant. She stated this must be submitted by March 1.

Mr. Grenier stated he reviewed the Keystone Construction Grant himself and other grants related to historic preservation. He stated he has also reached out to Representative Warren about various Grants we might be able to go out for this year and late next year and have a long-term plan. Mr. Grenier stated the Township engineer and the Township Manager are already looking at the area around Satterthwaite in terms of the environmental remediation that must occur which is a significant cost. Mr. Grenier stated the Township engineer has also done a structural evaluation as well which has associated costs after the remediation is done. Mr. Grenier stated given the Budget issues that were discussed previously, they have not been able to put money in the Budget this year for Satterthwaite.

Mr. Grenier stated what they are doing has been included later on in the Agenda under Project Updates, Township Properties – Inventory and Status. Mr. Grenier stated this is an attempt to do a holistic review of the Township properties, whether they are historic or not. He stated they want to know what we have, what condition it is, and what it will take to fix it, with Satterthwaite being at the top of the list.

Dr. Heinz stated that is a lot of money that the Township is going to spend. Mr. Grenier stated his is just the planning process. He stated in terms of Satterthwaite specifically, there is a environmental remediation estimate of approximately \$175,000 before they can do anything structurally to the house. Dr. Heinz stated that “seems really excessive.” Mr. Grenier stated it is not. He stated he and Mr. Pockl both do this type of work a lot. He stated it is not only the house, but it is also the soil around the house and other things associated with the property in close proximity to the house that they need to clean up before they can go into the house and do what they want to do. He stated this will take careful planning, but they do plan to “push forward with Satterthwaite at the top of the list.”

Dr. Heinz stated this will be the third structural report in two decades. She stated they had the Stark report in 2006, the Jeff Marshall report from the Heritage Conservancy, and then the third report they were waiting for to find out what kind of remediation they had to do. She stated they have an architect on the Patterson Farm board who is telling them “that is ridiculous, is an engineering estimate, and is greatly inflated.” She stated this could be done by a group of volunteers. Mr. Grenier stated he needs to respect the professionals adding he is also a professional in the field. He stated with regard to the initial work they need to do, they need to get that taken care of first. He stated they do not want volunteers put at risk given the environmental remediation issues that we have. Dr. Heinz stated the State did not have this concern. Mr. Grenier stated the State did not have that concern because nothing had ever been tested or reviewed and no due diligence had ever been done prior to the purchase of the property, and “they were ignorant to the issues.” Dr. Heinz stated she was advised that the State probably would pay for a remediation with volunteers as long as the volunteer were instructed on the safety standards. Mr. Grenier stated they need professionals with Certifications. Dr. Heinz stated their group has someone who is getting that as well.

#### APPROVAL OF MINUTES

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the Minutes of December 19, 2018 as written.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the Minutes of January 7, 2019 as written.

APPROVAL OF JANUARY 7, 2019 WARRANT LIST AND DECEMBER, 2018 PAYROLL

Ms. Blundi moved, Ms. Tyler seconded and it was unanimously carried to approve the January 7, 2019 Warrant List and December, 2018 Payroll as attached to the Minutes.

APPROVE INTERFUND TRANSFERS INCLUDING PAYROLL

Ms. Blundi moved, Ms. Tyler seconded and it was unanimously carried to approve Interfund Transfers including Payroll as attached to the Minutes.

ENGINEER'S REPORT

Mr. Pockl stated there are a number of project updates that will be discussed later as Agenda items. He stated he provided his engineer's report dated January 9 to the Township and the Board. He stated Caddis Healthcare is an ongoing planning project at Dobry Road, and he is reviewing the Final Plan and will provide an escrow requirements letter for the reconstruction of Dobry Road and the Caddis portion of what they are responsible for. He stated he expects to have that completed by the end of the week. He stated with regard to the Matrix Redevelopment project on Big Oak Road, they began construction this Monday, and they do not anticipate any impact on traffic or the public right-of-way until at least the summer. He stated Regency is ongoing construction on Phases 3 and 5 which are the carriage homes on the south side. He stated he met with PECO and the developer to get a better sense of where they are placing their junction boxes and generators. Mr. Pockl stated it seemed that the PECO plan provided to the Township at the beginning of the development was "diagrammatic at best;" and once it was translated out into the field, they found certain situations where generators were placed in drainage swales, or too far off the back of the sidewalk to be able to have proper maintenance so they met with PECO and the developer to get that resolved so that all future installations are placed in a more practical manner.

Mr. Pockl stated with regard to Brookshire Estates Development he issued the final release clearance on December 31, and that project is now closed out. He stated the right-of-way and roadways are now the Township's responsibility. He stated with regard to Scammel's Corner, work is ongoing to stabilize the site and the rain gardens. He stated weather has played a factor in the continuation of that work. He stated later in the Agenda they will consider an escrow requirement release. Mr. Pockl stated with regard to Freeman's Farm, they revised the punch list on January 4, and the developer has worked to address most of the items on the punch list. They anticipate a final close out of the project within a month.

Mr. Pockl stated with regard to Artis Senior Living Center, they are in the preliminary phases of construction; and they have started clearing the site and excavating for the foundations. No issues have been encountered thus far.

#### MANAGER'S REPORT

Mr. Grenier asked Mr. Ferguson if we have received an update in terms of where Comcast is going to be placing the pedestals over the next month or two. Mr. Ferguson stated every month we get a report of those which is placed on line. He stated this is also coordinated with the Code staff which reviews them. Mr. Ferguson stated they have been marking the locations within the grassy right-of-way where they intend to place the pedestals, and the Township goes out and checks this to make sure it does not pose a safety issue. Mr. Ferguson stated letters are also being sent in advance to the residents outlining the information, and he has not heard any problems recently.

Mr. Pockl stated they are providing him e-mails of streets they are working on which includes where pedestals will be installed on those streets and where any roadwork will be completed on those streets. He stated he is then able to go out and inspect them to make sure that they are completing the road work appropriately.

Mr. Grenier stated the last time he checked the Township Website, it still had the December list; and Mr. Ferguson stated he will check to make sure that they have the January list and that it is posted.

#### Approval of Payment Request 1 to Almeida & Hudak Contractors for Heacock Force Main Pipe Replacement Project

Mr. Ferguson stated the amount of this invoice is \$273,021.69, and the amount remaining on that Contract is \$35, 655.56.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve Payment Request 1 to Almeida & Hudak Contractors for the Heacock force main pipe replacement project in the amount of \$273,021.69 as outlined by the Township Manager.

Approve Resolution No. 2388 Authorizing Destruction of Certain Specific Records

Mr. Ferguson stated the records are as outlined under the Township Code, and he reviewed what would be destroyed. Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve Resolution No. 2388 authorizing destruction of specific records as outlined by the Township Manager.

Mr. Ferguson stated that all of the following purchases were included in the 2019 approved Budget.

Approve Purchase of Document Scanning Services and Document Retrieval Software from ScanTek, Inc. as Bid Through CoStars in the Amount of \$68,732.50 and Enter Into an Annual Subscription Agreement with a 2019 Cost of \$3,915

Mr. Ferguson stated this item is very important to many of the Township employees. He stated there are over 1 million pages of Permits and related documents that are “stacked everywhere.” He stated they budgeted \$85,000 for this.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to purchase document scanning services and document retrieval software from ScanTek, Inc. as Bid through CoStars in the amount of \$68,732.50 and to enter into an annual Subscription Agreement with a 2019 cost of \$3,915.

Mr. Ferguson stated he appreciates the Board passing this, adding that this will allow them to preserve everyone’s records in the Township, and it will also open up a lot of room in the Township Building. Mr. Grenier asked if this came in under Budget, and Mr. Ferguson stated it did.

Approval to Authorize RFP for a Pool Feasibility Study

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to authorize the creation of a Request for Proposals to be sent out for a Pool Feasibility Study.

Mr. Ferguson stated at some point they will bring this back with a recommendation as to who they would choose for that. Mr. Ferguson stated they budgeted \$25,000 for the Study out of the Pool Fund and not out of taxpayer money.

Approve Purchase of a 2019 Chevrolet from Turnpike Chevrolet, as Bid Through CoStars, in the Amount of \$8,087

Mr. Ferguson stated the amount of \$8,087 is the net cost as they will be trading in a vehicle.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the purchase of a 2019 Chevrolet from Turnpike Chevrolet as bid through CoStars in the amount of \$8,087.

Approve Purchase of a 2020 Johnston Street Sweeper from U. S. Municipal, as Bid Through CoStars, in the Amount of \$159,629

Mr. Ferguson stated this Motion and the next Motion are related to purchasing a new street sweeper. He stated these are both bid separately through CoStars.

Ms. Tyler moved and Ms. Blundi seconded to approve purchase of a 2020 Johnston Street Sweeper from U. S. Municipal as bid through CoStars in the amount of \$159,629.

Ms. Tyler stated Public Works has been asking for this since long before she started on this Board so she is happy to be getting this for Public Works to give them the tools they need.

Mr. Grenier stated he did get some questions as to the necessity of having a street sweeper. Mr. Ferguson stated he feels this is a necessity. He stated currently the Township has two street sweepers that are over twenty years old. He stated it is common practice that street sweepers are used particularly in communities like Lower Makefield that have homes with value and subdivisions where we clean the streets of debris that happens through the winter or when there is an event where something is spilled so that we can clean it up. He stated both of the existing sweepers are very old and often broken down, and they have had to use both of them to piece together to have the ability to sweep the Township. He stated the hope is that with the new street sweeper, it will be so efficient that they may not need a second street sweeper. He stated he feels it is important to keep the Township streets clean so that it is important to have a street sweeper.

Motion carried unanimously.

Approve Purchase of a 2020 International Chassis from Bucks County International, as Bid through CoStars, in the Amount of \$83,413

Mr. Ferguson stated this also relates to the street sweeper and it is the purchase of a 2020 International Chassis from Bucks County International as bid through CoStars in the amount of \$83,414. Mr. Ferguson stated this is the chassis for the street sweeper itself.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the purchase of the 2020 International Chassis.

Mr. Ferguson stated this item and the next item on the Agenda will be paid for out of the Road Machinery Fund which has a separate designation and millage. He stated he will be coming back to the Board on both of these items, and they intend that both of these items will be financed for five years. He stated they will be putting competitive RFPs out to get competitive pricing to get the best deal.

Approve Purchase of a 2019 Dump Body from U. S. Municipal, as Bid Through CoStars, in the amount of \$109,679

Mr. Ferguson stated this is for a ten-wheel dump truck, and they will be trading in a six-wheel dump truck that they have been having issues with. He stated they have been offered a much higher trade value than anticipated in the amount of \$16,500 for the over twenty-year old vehicle.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the purchase of a 2019 dump body from U. S. Municipal as bid through CoStars in the amount of \$109,679.

Approve the Purchase of a 2020 International Chassis from Bucks County International, as Bid Through CoStars, in the Amount of \$96,630

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the purchase of a 2020 International Chassis from Bucks County International as bid through CoStars in the amount of \$96,630.

Mr. Ferguson stated all the items just approved were bid through CoStars which bids on behalf of Townships, and were purchased for a bit under what the Budget estimate was.

## PROJECT UPDATES

### Township Properties – Inventory and Status

Mr. Ferguson stated Ms. Blundi and Ms. Tyler had asked him if a report could be put together that inventoried all of the Township properties that had structures on them so that some guidance could be given to the Board as to what the Township has, the assessments of the properties, etc. Mr. Ferguson stated they met about this late last year, and they are going to put that together. He stated they will create a footprint of what the Township has and a brief description of each property. Then using Township staff, the Township engineer, the Director of Planning and Zoning, who is also an engineer, and the Public Works Director, who is also an engineer, they will put together a report including cost estimates etc. on all of the properties. He stated this would serve as a starting point to allow the Board to make decisions regarding repairs, priorities, and the order of events in order to get some of the properties in order and spend some money on even if it is not a great deal of money available. He stated he will provide updates as they proceed, and at the end there will be a full report on each of the properties.

Mr. Grenier stated he is in favor of this because they will be collecting data on what we have so that they are planning for the future. He stated there are a lot of assets in the Township that he is not sure the Township fully understands. He stated they need to know what can be done in the near term, the middle term, and long term, and how much it is going to cost. He stated for some of these properties there has been no plan, and they are “just sitting there.” He stated they need to address that, and this is the first step. He stated they need to protect them from the elements in the short term and also look at long-term planning so that they can potentially be used for something. He stated this will not be an overnight issue.

### Makefield Road School Crossing

Mr. Ferguson stated that work has been continued to the spring as was previously reported. He stated the asphalt will be repaired, and they will get the permanent markings down. Mr. Pockl stated there has been correspondence with the contractor, and they are in agreement that the weather is not conducive to completing that work at this time. Mr. Ferguson stated when the weather improves in the spring, they are looking to get the work done as quickly as possible.

### Sandy Run Road

Mr. Ferguson stated they anticipate final design, and the appraisal is underway regarding the relevant properties. Mr. Ferguson stated the goal is to have this completed late summer/early fall of 2019. He stated the funding is available for this project.

### 2019 Road Program

Mr. Ferguson stated tomorrow he and the Public Works Director will be meeting to discuss the 2019 Road Program and finalize the list of roads which they anticipate asking for Board consideration to advertise at the next Board meeting on February 6 with the goal that they will be able to move quickly to get the ad out and try to have it be an earlier project than it was this year.

Ms. Blundi stated last year they were able to work reflective signals into two of the projects. She stated they were at Black Rock Road and Oxford Valley Road, and she feels they make a tremendous difference. She asked that they look into this and continue to see where there are opportunities to improve visibility especially at darker areas. Mr. Ferguson stated they can look into this.

Mr. Ferguson stated they will ask Mr. Pockl to put the request into the framework of the dollar allocation that we have within reason; and possibly they will have some Bid Alternates so that if prices come in low, they could possibly do some extra roads.

### Pool Renovations

Mr. Ferguson stated included in the 2019 Budget they included a major renovation at the Pool. He stated they are on an extraordinarily tight timeframe understanding that the Pool opens Memorial Day weekend. He stated by early to mid-May they also paint the pools. Mr. Ferguson stated Mr. Pockl has been involved in the creation of the RFP to do the renovation, and they did include in the Pool RFP a Bid Alternate to paint the pool as well to see if they can get a good price when they are running the ad for the renovation. Mr. Ferguson stated at the last meeting, the Board passed a Motion to move forward on this recognizing that they have amended it to have a five-day contractor review. He stated this helps with the very tight timeframe.

Mr. Pockl stated the design has been completed, and they issued a draft final design to the Township for their review last week. Some adjustments have been made based on the comments received. He stated he believes the first advertisement

is scheduled for tomorrow, and the second is scheduled for Monday. He stated they will have a pre-Bid meeting toward the end of the month, and they are scheduled to open Bids on Monday, February 4. Mr. Pockl stated that will allow them to make a recommendation to the Board at their next meeting on February 6. He stated they would then have the five-day review period. He stated they can then issue a Notice to Proceed to the contractor.

Mr. Pockl stated part of what is being done is a replacement of the pool gutter system around the perimeter of the pool, and they will be replacing the existing concrete gutter with a stainless steel gutter. He stated that stainless steel gutter has a long lead time from the manufacturer, and it would take them approximately six weeks for them to deliver that. Mr. Ferguson stated the estimate for that delivery would be March 29. Mr. Pockl stated through the design process they have had multiple conversations with the manufacturer of the gutter system, and they are holding to that timeframe. Mr. Pockl stated it will take approximately thirty days to install. He stated other work that is to be completed at the pool can be done in advance of getting the gutter system. He stated they anticipate finishing the work toward the end of April; and if they elect to do the painting, that would take a couple of days as well. Mr. Ferguson stated they will paint whether it is done by that contractor or someone else. He stated they are looking at April 30 as the date they would be done which provides a two to three week buffer. He stated while it is a tight timeframe, the Township has talked about doing this work for years. He stated there is money in the Pool Fund to pay for this.

Ms. Tyler stated she feels they should build in language in the Contract regarding penalties, etc.; and to have a Plan B in case the work is not done. Mr. Ferguson stated he understands that there can be contractor or weather issues, and the staff is already working on options if there are delays and they could capture those hours lost by the members with extended hours, longer weekend days, etc. so that they can get full value for their membership in the event that there would be a delay. Mr. Ferguson stated they will do everything they can to get the work done in time including having the contractor work on weekends if necessary. Mr. Pockl stated there is language in the Contract for damages if the contractor is deliberate in delaying the project. Ms. Tyler stated they could also consider guest passes as a Plan B.

### Multi-Use Trail

Mr. Ferguson stated this is in the 2019 Budget. He stated it is the multi-use trail around Allan, Caiola, and Stoddart fields. He stated the estimated cost is \$888,000 with a sizable portion in the amount of \$750,000 coming from a Grant.

Mr. Ferguson stated they are beginning meetings with staff on this and the Memorial Park Project with the idea that this will be bid out later this spring. Mr. Ferguson stated there are some easements they need to deal with before they can move forward.

Mr. Grenier stated because this goes around the ball fields, they should solicit feedback from PAA about potential tree placement relative to the overall Township tree plan. He stated PAA may have some input based on where the trail is in order to get shade for the outfields, etc. which has been a concern.

### Memorial Park Project

Mr. Ferguson stated this project includes tennis courts, a trail, ADA ramps, and some other items. He stated the previous engineer had put together Plans for the project which were turned over to Remington Vernick for their review. He stated they believe that the cost estimates that were originally put forward with the Grant were not in need of adjustment. Mr. Ferguson stated since a lot of the design work was done, Remington Vernick will now update the Plans and meet with the Recreation staff. Mr. Ferguson stated the goal is to have the Board pass a Motion to bid as soon as possible.

### Woodside Bike Path

Mr. Pockl stated they submitted the Grant Application on time in December. They received comments back from the DVRPC about the Application and its chances of being approved. Mr. Pockl stated the DVRPC suggested several adjustments to the Application. He stated they indicated that they typically do not approve both engineering costs and acquisition costs in one Application, and they suggested removing the acquisition costs. Mr. Pockl stated they will likely also not allow a 20% contingency on the construction estimate; and while they have not stated that, they are in the process of putting out a letter to all Applicants that maximizes the contingency at 5%. Mr. Pockl stated making the adjustments they have suggested will reduce the amount of money that we could get from the Grant. Mr. Pockl stated he wants to have further discussions with them about adjusting our scope so that the trail could be done in phases and we could then apply next year or in two years for a Grant for Phase II if they provide a Grant for Phase I.

Mr. Grenier stated he also feels we should talk to the Bridge Commission to see exactly what they are going to do with their section of the trail since what they have published on their Website is a connector from the back of their parking lot which is not near the intersection we are concerned about that goes to the new bathroom

facilities and not the towpath. Mr. Grenier stated he would like to see if we could work out something where they will adjust that so that the way we phase it would make it easier and we would not have to “shoulder the whole thing.” Mr. Pockl agreed and stated there was a significant cost in getting a usable path that traversed the Canal itself. Mr. Grenier stated in the Agreement it indicates that it is “within the area of the towpath,” so they should discuss that. Mr. Grenier asked Mr. Pockl to look into that before they go forward with the revised Grant Application. Mr. Pockl stated there may be a timeframe within which the DVRPC needs the Township to resubmit, and he will discuss that with them and report back to the Board.

#### Big Oak/Makefield Road Turn Lane

Mr. Ferguson stated there is a Grant for turn signals, a turning lane, and a crosswalk that they are looking at this year.

#### Route 332/Mirror Lake Signal Interconnect

Mr. Ferguson stated this would be to connect the traffic lights together to make them work more efficiently and help move traffic along.

#### Dog Park

Mr. Ferguson stated the fence relocation has been completed.

Mr. Michael Brody, 509 Brookbend Court, stated with regard to Makefield Road he felt they were going to be grinding and painting the crosswalk sooner than the spring. Mr. Pockl stated they issued a letter to the contractor indicating that was what they expected to be done, and the contractor responded that they did not share the opinion that they should be required to do that at their cost. Mr. Pockl stated he drafted a letter in response to indicate that it is the Township’s position that it was installed incorrectly; and they need to fix it or the Township will fix it and charge them out of the money that is otherwise owed to the contractor. Mr. Brody asked about the timeline for that. Mr. Pockl stated he gave the contractor seven days to complete the work or the Township would do it. Mr. Brody asked if he feels the work will be done by the end of January, and Mr. Pockl stated that could be weather dependent.

Mr. Brody asked if the plan for the multi-use trail been presented to the Board of Supervisors in terms of where the crosswalk will be. Mr. Grenier stated the trail itself was presented in one of its iteration, but he does not believe the crosswalk has been presented as part of the project. Mr. Ferguson stated it has not been presented to the Board yet. He stated it was discussed as part of the paving process, and they put temporary tape down with the idea that it would be part of a presentation soon. He stated the full project that is funded for this year does not have all the specs done, and that is what they will be starting with; and they will then bring it to the public.

Mr. Brody stated the tax increase for the Woodside bike path sounds like it will already be insufficient for the bike path and they will be spreading it out over multiple years. Mr. Grenier stated the millage increase is specific to Park & Rec, and it is not a millage increase specific to a bike path. He stated it is a Park & Rec millage, and in the Budget it has been allocated to the bike path for 2019. Mr. Ferguson stated if the bike path does not go forward, the plan he had presented to the Board, which they were in agreement with, was that a Park & Rec Capital Reserve Account will be created where the proceeds of the .24 mills will go. He stated since the Board is doing Interfund Transfer approvals at every meeting, it would not be moved unless the Board authorized moving it; and the public could discuss it at that time as well. Mr. Brody stated his point was that they are not locked into spending more than they desire on the Woodside bike path, and that there would be flexibility within the Park & Rec Budget based on the .24 mill increase.

#### SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session this evening commencing at 6:30 p.m. and they discussed items of litigation, Real Estate, and informational items.

Mr. Truelove stated his office attended the Planning Commission Reorganization Meeting and prepared an Ordinance to be discussed tonight for final review and passage. He stated various matters were reviewed for the Board's consideration including Sandy Run, Right-to-Know issues, and Land Development and Zoning issues. He stated they communicated with the Township Manager and staff regarding various issues, and worked on litigation, collective bargaining, and personnel issues. He stated they also prepared for this meeting and worked on various Sewer Authority, Code Enforcement, and collections matters. Mr. Truelove noted that Mr. Ferguson met today with his partner, Barbara Kirk, regarding various matters involving Sewer Authority issues and tax exempt properties.

APPROVE ADVERTISING ORDINANCE REGULATING DISCHARGE OF GAS, GREASE, AND SIMILAR SUBSTANCES

Mr. Truelove stated they have discussed a number of times a proposed Grease Trap Ordinance which is before the Board this evening. He stated the primary impetus for this was from DEP and the Act 537 Plan. He stated the Township is charged with the responsibility of doing this because of the sewer entity we operate. He stated this is a very common “weapon” for a Sewer Authority to have at its disposal to make sure that discharges are not being made in a way that harms the system.

Ms. Tyler moved and Ms. Blundi seconded to authorize advertising the Ordinance regulating discharge of gas, grease, and similar substances as outlined by the Solicitor.

Ms. Blundi stated this is something that we are obligated to do to protect the Township. Mr. Grenier stated he is the Sewer Authority liaison, and the Sewer Authority and staff have been adamant about this and are in full support.

Motion carried unanimously.

ZONING HEARING BOARD MATTERS

With regard to the Daniel Ewart Variance request for the property at 23 Milton Drive for an existing driveway with greater than permitted impervious surface and located less than the required 5’ from neighboring property, it was agreed to leave the matter to the Zoning Hearing Board.

SCAMMELLS CORNER – APPROVE ESCROW RELEASE #4

Mr. Pockl stated this would be an Escrow Release in the amount of \$37,180.65 to the developer of Scammells Corner. He stated the total amount that would remain in the Escrow Account for outstanding work would be \$113,593.75. Mr. Pockl stated the Release request was made on December 17; and in accordance with the Municipalities Planning Code, Section 509J, we are required to act on it within 45 days. He stated that 45 days would be up on or around February 1 so it is appropriate to act on it at this meeting. Mr. Grenier asked Mr. Pockl if it is his recommendation to do so; and Mr. Pockl stated it is, and it is the staff’s recommendation as well.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to authorize the release of Escrow #4 with regard to Scammells Corner in the amount of \$37,180.65 as outlined by the engineer.

#### SUPERVISORS REPORTS

Mr. Grenier stated he met with the Electric Reliability Committee last week, and they had a meeting that same day with Representative Perry Warren. Mr. Grenier stated he anticipates a letter requesting our coordination with Perry Warren on some outreach to PECO to get information.

Ms. Blundi stated she met with the EAC earlier this month. She stated they asked that she advise everyone that as of January 7 the Elcon Application was still not complete and it was missing air quality information. She stated the EAC is monitoring this very closely. She stated there will also be information coming out about the EAC's lecture series for the spring and an electronic recycling day hopefully in May.

There being no further business, Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to adjourn the meeting at 9:10 p.m.

Respectfully Submitted,

Kristin Tyler, Secretary

