

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – JULY 17, 2019

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on July 17, 2019. Mr. Grenier called the meeting to order and called the Roll.

Those present:

Board of Supervisors: Daniel Grenier, Chair  
Frederic K. Weiss, Vice Chair  
Kristin Tyler, Secretary (left meeting in progress)  
Suzanne Blundi, Treasurer  
John B. Lewis, Supervisor

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

#### COMMUNITY ANNOUNCEMENTS

Mr. Grenier stated the Township has a new Facebook page as well as other social media including Twitter and LinkedIn. He stated LMT Park & Recreation also has a Facebook page which lists a series of summer events and upcoming programs. He stated the Fall Program will be published shortly.

Mr. Grenier stated Five Mile Woods Clean Up Days are held the second Saturday of the month, and the next one will be August 10, 2019. Ms. Tyler stated those who need community service hours can participate and will be issued a letter giving them those hours of credit.

Mr. Grenier stated Makefield Highlands has published several events, which can be found on [Makefield Highlands Golf.com/events](http://MakefieldHighlandsGolf.com/events). He stated Makefield's Public House at the Golf Course is also holding several events this summer.

Mr. Grenier stated the Yes You Can 5K to benefit Pennsbury PTOs will take place October 6, and information can be found at [runsignup.com](http://runsignup.com).

Mr. Grenier stated on July 18 from 6 p.m. to 8 p.m. the Dog Days of Summer event will be held at the Dog Park and will include activities and vendors.

## PUBLIC COMMENT

Mr. Harold Kupersmit, 612 B. Wren Song Road, asked about the meeting schedule for August. Mr. Grenier stated they will discuss this later. Mr. Kupersmit stated with regard to the wastewater treatment facility, he feels they need to develop a new technology. He expressed concern with the increased sewer bills.

Mr. Robert Abrams, 652 Teich Drive, stated having the sewer presentation on July 3 was “insulting” since it was July 4<sup>th</sup> eve. He stated it appeared we would get “a whole bunch of stuff rammed down our throat.” He stated Dr. Weiss promised they would make \$50,000 a year on the sale of the cell tower, and he asked how much they have made so far. He asked if there is anything left from the \$2 million the Township received for the cell tower which was put in the General Fund. Mr. Ferguson stated the year end number that the auditors will be discussing was about \$2.6 million. Mr. Abrams asked how much was the actual that they started with the previous year, and Mr. Ferguson stated it was \$200,000. Mr. Abrams stated he feels no one will buy the sewer system from the Township unless we keep control over it. He stated the money “will flow out of here and be funneled to everybody’s friend and neighbor who is connected.” Mr. Abrams stated the School taxes have increased 6.5%. Mr. Abrams stated if the Township cannot manage the system, they should find someone who can manage it.

Mr. Jaan Pesti, 1367 Brentwood Road, asked that the Board not sell the sewer. He stated selling it to someone else will end up costing us more.

Ms. Jill Laurinaitis, 1517 Revere Road, stated a number of years ago a proposal was made at a Board of Supervisors meeting by herself and the Township’s Electronic Media Advisory Council (EMAC) to get the Supervisors to agree that the Township needed to update their communication methods and establish social media accounts such as Facebook and Twitter as well as external and internal policies. She stated the Board agreed to a Twitter presence at that time, and since then she and the rest of those on EMAC have waited four years to have a Facebook presence for the Township. She congratulated the Board for making that initiative finally happen. Ms. Laurinaitis stated when Mr. Grenier became Chair of the Board of Supervisors in January, he had requested a brief history from EMAC about their initiatives, and she forwarded him the eighteen-page presentation from the meeting four years ago. She stated this was the document that Mr. Grenier had referred to at the last Board of Supervisors meeting during the Facebook discussion. Ms. Laurinaitis asked why there was not a conversation this year about the plan since normally there would

be more open dialogue between EMAC, the Board of Supervisors, and staff that would be finalizing and implementing the plan. She asked what is the role of EMAC, and asked for guidance as to what EMAC should be doing. Mr. Grenier thanked EMAC and especially Ms. Laurinaitis for all their help and guidance over the last several years. He stated because of the depth of the document that Ms. Laurinaitis provided, they were able to hand it over to the Manager and staff to proceed. Mr. Grenier stated through use and feedback, they will continue to make improvements.

Mr. Ferguson stated they are still working with Ms. Tierney on Constant Contact which will provide the ability for residents to sign up for notifications via e-mail, and the residents can pick topics they want information on. He stated when the Township posts to Facebook, Twitter, etc. there would be a separate step where they would use Constant Contact to send e-mails out to everyone who signed up so that they can reach out through multiple ways to keep people notified. He stated they are trying to find as many avenues as possible by which to get information out especially in those instances which are time sensitive. He stated most other posts will just be to keep the community advised about such things as road paving, development projects, etc.

Mr. Grenier stated now that we have the different platforms initiated, they are not static, and he feels EMAC should be reviewing/offering advice on this through their Supervisor liaison back to the Township staff.

Ms. Jeannie Ivicic, 1429 Lance Lane, stated she has done a lot of research on the sewer situation, and everyone across the Country is having these issues. She stated she has not found an article where any Municipality has sold their sewer system and feels that was a good idea. She stated one Municipality went to Court to try to buy their system back; and while they won the Court battle, the cost was millions over what they had sold it for, and the Municipality could not afford to buy it back. Ms. Ivicic stated there are people who study this who will do a feasibility study. She stated she feels that the Board has made the decision to sell the system, and she does not feel they have found someone who can do a feasibility study and come up with something that will work in the long run for the Township.

Mr. Grenier stated one of several options is to sell the sewer system, and there is a Sewer Sub Committee that is looking at all the options including sewer treatment. He stated the Sewer Sub Committee is made up of not just elected officials but also includes the sewer engineer and the Public Works Director. He stated a decision has not been made at this point.

Mr. Ferguson stated he started as Township Manager a year ago and in reviewing the costs he advised the Board during the Budget discussions that the sewer costs we are faced with are “frightening.” He stated he is currently working on the 2020 Budget. He stated the Township has passed a 537 Plan, which is a mandated DEP Plan on how to manage the sewers and how we have to invest in the sewers; and we are obligated to do this. Mr. Ferguson stated the rate increase they are looking at for next year is 40% adding that they increased rates by 25% in 2018 and 14 ½% in 2017. He stated we have an aging system and an issue with the treatment plant. He stated the cost for the option for the treatment plant is \$50 million. He stated if that debt is amortized over twenty years it is approximately \$75 million, and that will result in approximately a 70% increase. He stated before they were to tell the ratepayers they would have to pay these large rate increases, they wanted to look at every options. Mr. Ferguson stated he knows people are concerned that if we sell our system the rates will go up. He stated there are 11,000 ratepayers; and when something costs \$5 million to \$50 million dividing that up among 11,000 ratepayers, it is easy to see how extensive that becomes per user. He stated if they look at a potential alternative of someone purchasing the system, his feeling was it would be useful to see how Bucks County Water & Sewer, Aqua, or PA Water, etc. would price out what our rates would be. He stated because of the 537 Plan and the obligations we will have, we know what our costs will be and what that would translate to for ratepayers for the next several years. He stated if they are looking at quotes from companies, it will be a useful comparison to show how that would compare to our costs over time and whether it is a practical decision. He stated he would like to be able to tell ratepayers that we have looked at every alternative before he tells the ratepayers there will be a 130% to 150% increase over the next five years. He stated this was his impetus for discussing this with the Committee and the Board.

Mr. Ferguson stated PFM was hired and has been paid \$7,500. He stated from this point forward the work PFM will do is all contingent; and if the Township decides not to sell the system, the Township will not be paying them to do that work although there will be some costs for the Township engineer and some legal costs. He stated they are just providing an opportunity to gather information to make an informed decision.

Ms. Vanessa Fiori, 1995 Woodside Road, stated she understands that we have \$53 million in debt. Ms. Tyler stated the actual debt is \$38 million, but there is interest. Ms. Fiori asked if there is a place where she could get a break down of the debt. Mr. Ferguson stated that Ms. Fiori should submit an open records request, and he can provide the report that he gave the Board that breaks down all of the debt. Mr. Grenier stated the Financial Advisory Committee has reviewed that as has the Board of Supervisors.

Mr. Lewis stated there is \$38 million of principal that is owed, but it will be paid off in approximately fifteen years; and we would then be debt free. Mr. Grenier stated that is correct unless they float another Bond. Mr. Lewis stated they could also stretch it out and pay less per year. He stated there are a number of options. Mr. Lewis stated when the Board reviews potentially selling the sewer collection system, that does not solve the treatment problem. He stated they need to consider if a buyer will insure them that there will be limited rate increases for a certain period of time; however, the question that should be asked is will selling the collection system lead to a lower total cost of ownership for ratepayers over the long haul. He stated he feels if it does not, we should not do that.

Ms. Blundi stated that is a question they should consider as well as whether the people living today in Lower Makefield would be comfortable with a solution where for the next ten years, they would be facing incredibly increasing amounts so that the residents who live here in the next fifty years do not. Mr. Lewis stated he plans to be here in fifty years, and he feels they need to think about the long term.

Ms. Tyler stated she would like to see information as to what they are basing their statements on with regard to the rate increases. Mr. Grenier stated it is coming from the 537 Plan that was reviewed with Mr. Ebert, the sewer engineer. Mr. Ferguson stated Mr. Ebert provided the aggregate number per year that we would have to put into the system based upon the 537 Plan. Mr. Ferguson stated he has taken that number and translated it into what the rate increase would be. Mr. Ferguson stated the general rule of thumb is that every additional \$600,000 would translate to a 10% rate increase. Mr. Ferguson agreed to provide the report prepared by Mr. Ebert to Ms. Tyler.

Mr. Lewis stated they have discussed the Sewer Sub Committee for a year and a half; and while they have had some memos, he has not received a breakdown of each of the recommendations, the total cost of ownership, and its impact. Mr. Grenier stated that is not done yet, and they will present everything at once. Ms. Tyler asked if there are meeting Minutes. Mr. Grenier stated they set up the Sub Committee to do the work, and they will then come back to the Board of Supervisors once they have the information. Ms. Tyler stated she has not yet received any information back. Mr. Grenier stated they are getting close.

Mr. Ferguson stated the Sewer engineer has put together cost estimates for the various options such as the Morrisville plant, the Lower Bucks option, etc.; and there are aggregate amounts although there is not a report as to where the pipes go, etc. He stated Mr. Ebert has run a range of numbers on the options that have been presented to the Sub Committee. Mr. Grenier stated Mr. Ebert has not yet completed all of his reviews.

Ms. Tyler asked who is the Liaison, and Mr. Grenier stated this was decided at the first Board of Supervisors meeting this year; and he and Dr. Weiss are the Supervisor Liaisons to the Sewer Sub Committee. Mr. Grenier stated also on that Sub Committee are two Sewer Authority members, the Sewer engineer, and the Public Works Director. Ms. Tyler stated she would like information to flow back to the Board of Supervisors. Mr. Grenier stated Mr. Ebert still has one option that he is reviewing before he can provide a summary to the Board.

Mr. Lewis stated when the Board gets the summary, he would like to have all the underlying models, products, etc. so that the Board can make an assessment of the assumptions that are underlying the model in terms of the cost estimates. Mr. Lewis stated if we are still assessing things, we should not be “hyping people up,” and we should be analyzing this dispassionately. Mr. Grenier stated they are providing solid numbers as to what the costs are going to be per year based on the 537 Plan and based on the numbers presented by the Sewer Engineer. Mr. Lewis stated those numbers are “either way regardless of whether we sell the collection system or not.” Mr. Lewis stated sewer rates will increase next year by 35% or 40%, and the sale would not occur in time for that increase not to occur. Mr. Ferguson stated he does not feel that is necessarily the case. He stated as part of the process, PFM is analyzing what we have and are vetting companies that may be pre-qualified; and depending on who a potential buyer would be if the Board made the decision to proceed, if it was a PUC-regulated company, it would be delayed as noted by Mr. Shearer for potentially a year while the PUC authorized that sale. Mr. Ferguson stated if it was an Authority, such as Bucks County Water & Sewer, they would not have to go through that process since they are not regulated by the PUC, and the process could take just months which would negate the rates that have been discussed and would pick up with the rates that would be part of the sale. He stated they had discussed bidding for rates and not for an aggregate dollar amount.

Mr. Grenier stated at the last meeting, PFM presented a potential schedule, and this is available to view on the LMT Website.

Ms. Fiori stated the Board was elected to represent the residents and to make wise decisions. She asked if these reports could be made available to the residents. Mr. Grenier stated this will not be done behind closed doors, and there will be public meetings on the different options. He stated this is also discussed at the Sewer Authority meetings which are public meetings held on the fourth Thursday of the month at 7:30 p.m.; and there are published Minutes. He stated the Sewer Sub Committee is also a public meeting, and they usually meet the hour before the regular Sewer Authority meeting.

Mr. Lewis stated he knows that some Sewer members and Sewer Sub Committee members filed a Right To Know Request to get additional information that was not provided, and he asked if they will be receiving that. Mr. Ferguson stated that is under legal review. Mr. Ferguson stated PFM came up with different models estimating the value of the system; and the reason that was not presented was that a potential bidder would have access to what they valued the system at which would be giving proprietary information. Mr. Ferguson stated after that was presented to the Sewer Authority, and Mr. Shearer had given what the blended average was, there was an open records request asking for all of their calculations, how they came up with the number, and what the numbers would be. Mr. Ferguson stated they have given that request to legal counsel to ask if that is privileged information. He stated if it is not, and we put that out there, we are essentially announcing to anyone who is a bidder how we came up with the calculation and what the numbers would be.

Ms. Tyler stated the Sewer Board is not the general public, and the Sewer Board is a stakeholder in the sewer system. Mr. Ferguson stated the request was forwarded to a representative in Mr. Truelove's office, and he is waiting for a response. Mr. Grenier stated he understands that the member of the Sewer Authority who requested that information abstained from voting on the PFM issue and also requested information that does not exist. Mr. Ferguson stated part of the open record request asked for all RFPs issued and all RFQs issued. Mr. Ferguson stated as the Board of Supervisors knows, we just authorized PFM in the last month to begin putting the framework together to get those. Mr. Grenier stated that individual therefore asked for information that does not exist. Ms. Tyler stated the Sewer Authority was asked to vote on something when they did not have information to make an informed decision. Mr. Grenier stated he was at the Sewer meeting, and PFM gave the Sewer Authority the same presentation that was given to the Board of Supervisors two weeks ago. Mr. Ferguson stated Mr. Shearer presented to them the same information that was presented to the Board of Supervisors which was that the blended average on the three models was in excess of \$30 million. He stated the request was that they wanted to know all the details in each model and how PFM came up with the number. Ms. Tyler stated she agrees with them, and that is what the Board of Supervisors relies on the Sewer Board to do for the Township as they have greater expertise than the Board of Supervisors. Mr. Ferguson stated most of the request was for information that has not been created yet, and he sent the request to Mr. Truelove's office.

Mr. Grenier asked Mr. Truelove if the Board needs to go into Executive Session to discuss this Right to Know Request which was submitted by a member of the Sewer Authority who abstained from a vote and then issued a Right to Know Request

for some information that is specific to the sale of the sewer and some other information that does not exist. Mr. Truelove stated he does not want to commit to any response tonight as his office is still looking into this. He stated one of the first issues he had was whether the information that was requested is proprietary. Ms. Tyler stated the first analysis which was discussed months ago is that the Sewer Authority is an owner of the sewer system; and if it is proprietary, it is theirs too. Mr. Truelove stated proprietary does not mean that it becomes public. He stated there is information that the Board of Supervisors has that eventually becomes public in some form, but the Board needs that for purposes of the Board's ability to do the best they can for the Township and its residents and make some determinations without negotiating in public which is what they never want to do. Ms. Tyler stated she agrees adding that is one thing the Sewer Authority needs to make their recommendation.

Mr. Grenier stated there was only one member of the Sewer Authority who felt he did not have enough information to make a decision, and the rest of the Sewer Authority voted to recommend moving forward with PFM. Mr. Ferguson stated the vote from the Sewer Authority was three in favor and one member abstained. Mr. Grenier stated a majority of the Sewer Authority voted to recommend going through with the next phases of the analysis with PFM. Mr. Grenier stated this is also what the Board of Supervisors did based on the public presentation.

Ms. Fiori asked if the public can make comments if they attend the Sewer Authority and Sewer Sub Committee meetings, and Mr. Grenier stated it is run very similar to the Board of Supervisors meetings with a Chair etc.

Mr. Richard May, 1270 Creamery Road, stated he heard that the Morrisville sewer system is at capacity, and it is going to shut down within two years. Mr. Grenier stated he went to a Yardley Borough/Yardley Sewer Authority joint meeting last week, and there was a presentation by the Morrisville Municipal Authority. Mr. Grenier stated what they presented was a plan for a 10 million gallon per day plant at approximately \$130 million with an option for a 5 million gallon per day plant that would not include Lower Makefield. Mr. Grenier stated they stated they probably have another five to six years left "with some fixes." He stated for the foreseeable future, they see it as still working for the next five to six years.

Mr. May stated he also understands that the \$30 million number he has heard before is "for what it might be sold for;" and the question is what would be done with the \$30 million if it were to be sold. Mr. May stated he would hope

given that there is a \$52 million debt that they would apply it to that so that the “\$32 number might shrink.” He stated he was under the impression that since there was \$18 million in interest and \$38 million in principal that possibly they were not paying down any of the principal. Ms. Blundi stated one of the points made during the PFM presentation was that if the Board did end up selling the sewer system, the Township would be required to pay off all the sewer debt which would mean \$17 million of the proceeds would have to go right away to pay off the sewer debt. Mr. May asked if the sewer debt is \$17 million of the \$38 million, and it was noted that it is approximately that amount.

Mr. Ferguson stated \$29 million pays off \$38 million in principal and interest; and he had discussed with the Board that if a sale took place, he felt they could cut the debt by 2/3rds at one time. Mr. Ferguson stated they have General Fund debt, the Sewer debt, and the Golf debt which they have had for some time recognizing the payments for the Golf debt will get significantly worse. Mr. Ferguson stated the Township had a bond rating downgrade that happened earlier this year, and Moody’s cited several items that led to the bond downgrade. He stated the two primary items were the Sewer fund – not just the Sewer debt we have but also the Sewer debt that could be lingering with the treatment plant – and the Golf debt. Mr. Ferguson stated if the weather is bad like it was last year and the bills get higher, the General Fund is responsible for paying that. He stated those are the “two lingering clouds over the Township financially going forward that for a period of time will not get better.” He stated therefore the discussions he had with the Board was that with \$29 million, you pay off \$38 million in debt which is the Sewage fund and the Golf fund. He stated the Golf fund would then become profitable, and is no longer reliant on the General Fund, and the Sewer debt would be satisfied. He stated the Township would then be on step to get the bond rating restored. He stated they would then go from \$52 million in debt, principal and interest, to \$14 million in debt in principal. He stated this would change the financial wherewithal of the Township, and there would be a variety of options that would be before them that the Township would not normally have.

Mr. Ferguson stated there are sewer rate payers, and there are taxpayers; and one does influence the other in bond rates and the Township’s ability to do things. He stated both in the Golf fund and the Sewer fund they have needed the General Fund to pay the money for the shortfalls in both of those funds and it is entirely driven by debt. Mr. Ferguson stated at the end of the year last year, they had to give the Golf fund \$875,000 to operate. He stated he does not feel that it was because the Course was run poorly, rather it was a number of circumstances including the rainy weather and the debt that is overhanging the Golf Course. He stated the Golf debt was structured where the payments were

very low early on, and they have gotten bigger to the point where in the next couple of years that debt will be upwards of \$1.6 and \$1.7 million a year. Mr. Ferguson stated that was the reason for the Bond downgrade because of the unpredictability of how much the General Fund would have to subsidize the Golf operation and the Sewer operation moving forward. Mr. Ferguson stated this was the impetus behind why he advised the Board that if they looked at a Sewer sale and they could stabilize rates which he feels would benefit ratepayers, there is also the positive secondary benefit that the taxpayers would have of the improvement of the tax base and less of a need to be reliant on property tax increases and then have the ability to pave more roads and do other things that residents have come to expect.

Mr. Ferguson stated he does not know at this point whether the RFP process will show that they can accomplish all of these things. He stated if not they may have to look at other options such as a new plant, a new Authority, going to Lower Bucks, or going to Morrisville. He stated he felt he owed it to the Board and the taxpayers to explore the sale of the Sewer system.

Mr. May stated he is not in favor of selling the “Sewer Authority and he has heard that they are entitled by law to a minimum of 10% increases per year.” Mr. Grenier stated that is an incorrect statement. He stated there are different entities that own and operate sewer systems. Mr. May stated he has heard that they can charge what they want. Mr. Grenier stated companies regulated by the PUC have to get their rates approved by the PUC, and they have to prove their case for any rate increases. Mr. Grenier stated he did ask PFM when they made their presentation what were the typical rate increases they have seen and how long they last for; and Mr. Shearer had stated most of the increases would be in the 2% to 5% range, and they might come back every three to four years.

Mr. May stated unlike a Township that can sustain losses and share them with the taxpayers, “these people are in it for a profit.” He stated if they can show that they have lost money through the acquisitions, etc. they are entitled to make a profit no matter how much the end cost is. Mr. Grenier stated that is not entirely correct. Mr. May stated there would be a significant increase over what we would normally be paying even looking at 40% next year.

Mr. Ferguson stated while there would be for-profit companies looking at purchasing the system, there are also Authorities that are not for profit that exist such as Bucks County Water and Sewer, and they may put a Bid in as well.

Mr. May asked what would be in it for those Authorities to do that. Mr. Grenier stated the Board has a lot of options to consider and they are a long way from making a decision. He stated he feels the Board will be objective, and the Board has not made up their mind as they do not have all of the data yet.

#### APPROVAL OF MINUTES OF JUNE 19, 2019 AND JULY 3, 2019

Ms. Tyler moved, Dr. Weiss seconded and it was unanimously carried to approve the Minutes of June 19, 2019 as corrected.

Ms. Tyler moved, Dr. Weiss seconded and it was unanimously carried to approve the Minutes of July 3, 2019 as written.

#### SCUDDER FALLS BRIDGE PROJECT UPDATE PRESENTATION – DRJTBC

Mr. Joe Donnelly, Deputy Executive Director of Communications for the Delaware River Joint Toll Bridge Commission, was present. He stated he is not an engineer or financial expert. Mr. Donnelly provided a slide presentation of the project which began in the spring of 2017. He showed an aerial photograph of the area before project construction began showing the old bridge which was constructed in 1959. He stated because of deterioration and potholes the bridge needed to be replaced. Photos were shown of the clearing work which was done at the start of the project and the construction of the bridge. A photo of the tolling point was also shown. He showed the center divider and stated the New Jersey bound traffic will be moved shortly onto the bridge. He stated the Pennsylvania bound traffic is already on the new span. Mr. Donnelly stated toll collections have begun. He showed the signage at the tolling entry which is just off the bridge on the Pennsylvania side.

Mr. Donnelly stated a new feature on the new bridge is that it has a walkway which is divided from traffic. He stated on top of that there are ten foot acrylic noise walls to further separate the pedestrian/bicycle walkway. He stated it is a 10' walkway which means it is wide enough to support both bicyclists and pedestrians, and the bicyclists will not have to dismount in order to cross the bridge. He stated while the walkway is in place, it will not open until a year from now, hopefully for the summer of 2020. He stated the reason for that is because they have to build the ramps to get to and from the walkway and connect them with the respective towpaths on both sides of the River.

Mr. Donnelly stated a unique feature of the bridge is that it is a continuous span, and unlike the current Scudder Falls bridge it has very few expansion joints which mitigates the possibility of deterioration and decay over time due to water, salts, and other contaminants that could get into the structure below and cause problems. Mr. Donnelly stated it also has a layer on top of the concrete of a polyester polymer concrete known as PPC which is an approximately 1" overlay of the concrete which is a protective layer of the concrete below with a 100 year lifespan.

Mr. Donnelly noted that getting on to the bridge from Route 29 in the Pennsylvania bound direction, there is no stop sign, and it is a yield sign at this time. He stated eventually that on ramp will go all the way across as a dedicated lane across the bridge to the Taylorsville Road exit. He stated that will significantly help traffic attempting to move on to I-295 or move off to get off at Taylorsville Road. Mr. Donnelly stated at this time you can also make two left turns onto Taylorsville. He stated there is further work to be done as part of the project along Taylorsville Road which will happen during the second stage over the next eighteen months.

Mr. Donnelly showed a slide of a banner which was hung to raise public awareness as to the difference in toll rates. He stated tolls are collected strictly through E-ZPass or by Toll By Plate which is for motor vehicles without E-ZPass, and those without E-ZPass will get a bill in the mail. He stated the rates are higher for that due to the fact that they have to look up the plate and prepare, process, and mail the bill. He stated that rate for a passenger vehicle is more than double the base E-ZPass rate, and they urge people to get E-ZPass to take advantage of the lower rate.

Mr. Donnelly discussed the improved support structure of the new bridge.

Mr. Donnelly showed a slide with the center divider, adding that the traffic on the far left on the old alignment of I-295 will shift over and both of the lanes on the right side will be carrying traffic as of next Wednesday, and that will be the new alignment heading to the Newtown Exit, toward the bridge, and across into New Jersey. He stated that will be in place for twelve to eighteen months as the second span of the new bridge gets built.

Mr. Donnelly showed a slide of a building which is the tolling and bridge monitor building. He stated since there is a walkway, they will need to have a physical presence on the bridge in case there is an incident. He stated the walkway will have to be plowed and salted so there is maintenance required. He stated the building also houses all of the software and hardware for the all-electronic tolling system at the bridge.

Mr. Donnelly showed a slide of cranes that are getting ready for the dismantling of the old bridge. He stated they will get changed over the course of the year as they dismantle the bridge and start construction on the new span.

Mr. Donnelly noted that the steel work originated from the Tappan Zee Bridge in New York, and the contractor is re-purposing that steel for use here.

Mr. Donnelly stated there is a five-week period to bring the new bridge on line, move I-295 into a new alignment, open interchanges that have been closed at both ends of the bridge during recent months, and then close a series of interchange ramps once the I-295 realignment is fully put in place with the New Jersey bound traffic moved onto the new bridge next Wednesday. He stated this will effect Lower Makefield residents. He stated the three ramps on the Yardley side of the I-295/Taylorsville Interchange will have to shut down a week from today, July 24, and a series of detours will be put in place to exit coming into Pennsylvania from I-295 eastbound. He stated you will have to get off at the Yardley/Newtown Exit and head toward Yardley, Route 332, to meet up with Taylorsville Road, and then get to your destination either to the left or the right. He stated to access 295 if you are coming from Yardley, you would make a left turn onto Route 332/West Afton Avenue at the traffic light and head to 295 and get on at that Interchange to head toward New Jersey. He stated if you are coming from Newtown, you would have to get on the recently-reopened entry ramp onto what is now designated I-295 westbound to head out to the Yardley/Newtown Exit and make a U-turn to head across into New Jersey. He stated that set of detours will be in place for three weeks until August 15, and that will allow the contractor to extend the ramps out into the new alignment of I-295 where it crosses across the new bridge.

Mr. Donnelly stated on the New Jersey side, if anyone gets off at Route 29, that exit will close for up to three weeks; and the detour is a little longer. He stated you would have to drive two exits farther to the Scotch Road exit, and there is a set of loop ramps there; and you would take Exit 73A and use the series of loop ramps to get onto I-295 heading back to the Scudder Falls Bridge, take the last exit in New Jersey to then access Route 29. He stated the advantage of the Scotch Road interchange aside from the fact that NJDOT indicated this was the way it had to be done, is that there are no lights there, and it is a seamless series of interchange ramps that you take to get off and then onto the highway. He stated this will last until August 15 if everything goes according to plan.

Mr. Ferguson interrupted the presentation at this time to report locations in the Township where there are trees and wires down as well as power outages. He stated all of the locations involved will be posted on Facebook shortly, and they will post updates as they are received. Mr. Donnelly stated he has been receiving messages as well from up River due to this severe series of storms.

Mr. Donnelly noted the original bridge was built in 1959 by New Jersey and Pennsylvania. He stated it was not built with Interstate Highway funds, and it was built with 25% contributions from both States and 50% of Federal Money from old U. S. Highway funds. He stated the Interstate came to the bridge years later. He stated the bridge was built but did not have approach roadways leading to it, and sat on the River for twenty months. He stated the bridge opening occurred in June, 1961.

A slide was shown of what the completed project will look like in the fall of 2021. He stated the second stage of the project is the completion of the second span of the bridge, and they are looking at that opening up in late 2020 or early 2021. He stated there is then some other transitional work, mostly on the New Jersey, side that will have to take place after that bridge opening. He stated for a period of time both bridges will not be operating at full capacity in order to get the transitional work and drainage work done early in 2021. A slide was shown of the final configuration. He stated on the span coming into Pennsylvania there will be three through lanes of I-295 traffic, and one auxiliary lane that will go from the Route 29 entrance ramp to the Taylorsville Road off ramp which will help with traffic trying to enter and exit the main line. He stated in the northbound direction, there will be five lanes – three will be through lanes, and there will be a dedicated lane from each on-ramp at the Taylorsville Road Interchange. He stated one takes traffic from Taylorsville Road southbound coming from the New Hope direction, and that will come up the loop ramp and head across to the Bear Tavern Road exit in New Jersey. He stated the other ramp from Taylorsville Road northbound coming from Yardley will go across the bridge and exit at the Route 29 off ramp. He stated this will address the current bottlenecks.

Mr. Donnelly stated this is primarily a commuter bridge – Pennsylvania to New Jersey in the morning and New Jersey to Pennsylvania in the evenings. He stated the base toll rate for E-ZPass is \$1.25, and the Toll by Plate rate is \$2.60. He stated there are penalties that can get tacked on for late payment for Toll by Plate and bills can get onerous over time so motorists will need to be very prompt in paying those invoices.

Mr. Grenier stated he understands the best place to look for updated information on this project is [www.scudderfallsbridge.com](http://www.scudderfallsbridge.com). Mr. Donnelly stated on that site they provide regular weekly updates on the construction as well as travel updates. He stated there is also a YouTube video for this five-week phase of transitioning. Mr. Grenier asked that this be a link on the Township Website. Mr. Donnelly stated there is also a video on the all-electronic tolling, and there will be an additional video on the handling of Toll by Plate bills which should be helpful to the minority of people who do not have E-ZPass.

Mr. Grenier stated he understands that for those who are frequent commuters there is a separate E-ZPass that gets an additional discount. Mr. Donnelly stated it is not a separate E-ZPass. Mr. Donnelly stated the Bridge Commission hires a toll processor, which is the entity that processes the tolls for the Bridge Commission's eight toll bridges; and they also issue E-ZPass accounts and transponders. Mr. Donnelly stated the entity they use is New Jersey E-ZPass Customer Service Center which serves seven different tolling agencies including the Bridge Commission. He stated if someone has an account and a transponder issued by them, they are in a position to have the ability to track the number of trips someone takes, and then automatically apply the 40% discount as a credit on a future statement that they have sent. He stated someone would need to have an E-ZPass with that affiliate toll processor. Ms. Blundi asked the other seven tolling agencies; and Mr. Donnelly stated they are the New Jersey Turnpike Authority, which also operates the Garden State Parkway in the State of New Jersey, Burlington County Bridge Commission, Delaware River Port Authority, which are the six bridges in the Philadelphia area, Delaware River and Bay Authority, which is located in Delaware and operates the Delaware Memorial Bridge, the South Jersey Transportation Authority, which is the Atlantic City Expressway, and more recently the Cape May County Bridge Commission, which are the bridges connecting the barrier islands in Cape May County.

Mr. Lewis asked if that issuer charges a monthly fee for customers, and Mr. Donnelly stated they do charge a monthly fee and he understands that there is another bi-monthly fee as well. He stated it works out to a \$1.50 administrative fee monthly cost. Mr. Lewis stated Pennsylvania does not have that monthly fee; however, Mr. Donnelly stated Pennsylvania like New Jersey does not issue E-ZPass and has no relation with E-ZPass. He stated in Pennsylvania, the Pennsylvania Turnpike Commission has a Pennsylvania Turnpike E-ZPass customer service center which is run by a private company, but it is not the same company as the Bridge Commission's. He stated their fee structure is different for an E-ZPass account, and it is \$3 a year so it is less; however, the Pennsylvania Turnpike serves only the Pennsylvania Turnpike and is unlike the various agencies within the New Jersey group which have discount program adding there is a cost to having those programs

because of the additional administrative costs. He stated if someone were not a frequent user of the Bridge, they could get their E-ZPass any-where; however, if they were a frequent user of the Bridge, it would be best to get their E-ZPass account and transponder from the entity that handles the Scudder Falls Bridge toll transactions. Mr. Donnelly stated E-ZPass is not a single company, rather it is an amalgamation of various tolling agencies that all operate under the E-ZPass service which is really nothing more than a trademark, which is why there is confusion. He stated you do not need to have an E-ZPass issued within the State where you live, and the umbrella organization for all of the E-ZPass organizations in the United States has recommended for a long time that you should get your E-ZPass account with the agency whose facilities you are going to use the most. He stated if you are going to use the Scudder Falls Bridge on a regular basis, the E-ZPass system recommends that you should get your E-ZPass through the Bridge Commission's affiliated toll processor and E-ZPass issuer.

Mr. Grenier noted the work done on the historic building where the restrooms will be located near the towpath, and he asked if that is open yet. Mr. Donnelly stated it is a 1799 building, but it is not open yet. He stated he believes it will be opened once the walkway and ramps are completed. He stated they will operate that under the Agreement in perpetuity. He stated it will also be policed by the Bridge Commission. He stated he does not believe it will be open twenty-four hours a day although he is not sure of the specifics as this is part of Operations. Mr. Grenier stated there is also a path connecting the parking lot to that building. Mr. Donnelly stated the Bridge Commission purchased that parking lot from the Township. He stated originally they were proposing 108 parking spaces, but they have made it 126 spaces which is down from the 163 spaces that were there when the Township owned it. He stated their studies showed that the usage was approximately 45 to 50 vehicles on a work day. He stated the major use is on the weekends with people parking there and using the adjacent Canal path.

Mr. Grenier expressed concern with noise from construction and what the hours for construction would be. Mr. Donnelly stated work has been going on, but there will be additional impacts later this year and earlier next year as the old bridge gets dismantled and preparations are made to start constructing the piers and abutments for the new bridge. He stated the supports go into bedrock so it is noisy work, but it is necessary to support the structure. Mr. Lewis stated they should not plan for work being done late at night. Mr. Donnelly stated he believes originally the contractor was allowed to go to 2 a.m., but the chief engineer recognized the problem and rolled them back to 11 p.m.; and it is his understanding that still stands. He stated he understands this will impact some people, it is a major, regional public works project.

Mr. Grenier stated this project has nothing to do with the renaming of I-95 to I-295, and Mr. Donnelly stated it does not. Mr. Donnelly stated I-95 now goes across the Turnpike bridge into New Jersey and for the first time starting last September, I-95 is a continuous roadway from Florida to Maine.

Mr. Grenier asked Chief Coluzzi if he has any concerns; and Chief Coluzzi stated he has not, and he has been corresponding with Mr. Donnelly routinely. He stated Mr. Donnelly has been providing him with updates on detours and work being done, and he will be putting that on Facebook.

Ms. Tyler asked the reason for the determination to start charging a toll. Mr. Donnelly stated the decision was made in 2009 during the environmental documentation process and release of the environmental assessment. Ms. Tyler stated her question is why they decided to start charging the toll now when there are still significant detours and inconveniences to drivers at least until August 15. Mr. Donnelly stated they borrowed money which has to be paid back; and any further delays could have resulted in a higher toll charge. He stated they are committed under their Agreements with bondholders to start charging tolls at this juncture. Mr. Donnelly stated traffic was crossing the bridge in the Pennsylvania-bound direction, and it was an approved facility. He stated they met the guidelines in terms of the finding of no significant impact that was issued in 2012 by the FHWA that they could then start tolling at the time an improved facility was provided. Ms. Tyler stated she would agree that once an improved facility was provided, but with the slide presentation just seen including the inconveniences and the closed on-ramps, she feels it was wrong to start charging drivers since there is not an appreciable improvement to the driver. Mr. Donnelly stated in the tolled direction, those impacts were all taken care of before it was opened in the tolled direction.

Ms. Blundi stated she understands that now coming over it will be a three-way road for some time on 295, and she asked if there is any contemplation for future work to help the exit onto 332 – the Newtown Exit. Mr. Donnelly stated it will be two lanes in each direction still on the Pennsylvania side as well as across the bridge; and not until it is a completed project will 295 on the Pennsylvania side be fully be put into three lanes in each direction. Ms. Blundi stated what she was talking about was when it was all done, and she asked if they will be doing any work on the Exit. Mr. Donnelly stated that is not part of the project, and that is the end of where the project is. He stated the only change that was made there under the project was the new drainage in that area which was a deepened drainage basin because of the additional run off from the widened roadway so they needed to increase that capacity. He stated that is PennDOT's interchange, and in fact I-25 will still be PennDOT's but under the project they were paying for it and sparing the State that cost.

Mr. Harold Kupersmit asked if it is cost effective to send out bills to those who do not have E-ZPass or should they have toll collectors. Mr. Donnelly stated around the World in the tolling industry, the push is all toward electronic tolls because it is more cost effective. Mr. Kupersmit stated they are cutting out jobs. Mr. Donnelly stated at this location if they were to have manned toll booths, they would be defeating the purpose of making it safer and more efficient, as opposed to increased traffic, increased delays, and increased pollution which is why everyone is moving to all-electronic tolling. Mr. Kupersmit asked the cost of the project and how it relates to the toll charge. Mr. Donnelly stated they borrowed the money to spread out the cost which is what is done with major public projects. He stated future generations will benefit from it, and they would not charge a toll now that would permit someone twenty years from now to ride across the bridge for free. He stated those using the bridge will be helping pay down the cost. He stated the construction contract for just the Bridge project of 4.4 miles was \$396 million. He stated the total cost of the entire program which includes noise walls, tree cutting that occurred before the project began on the Pennsylvania side, the environmental documentation process, engineering management to oversee the project, and the various inspections is over \$500 million.

Mr. Grenier thanked Mr. Donnelly for his presentation and asked that he continue to provide updates to Chief Coluzzi and Mr. Ferguson. Mr. Donnelly left cards listing where people can go to get information/videos and also left handouts on E-ZPass. Mr. Donnelly complimented the Township on its system of televising the meetings.

#### APPROVAL OF WARRANT LISTS FROM JULY 1, 2019 AND JULY 15, 2019

Ms. Blundi moved, Ms. Tyler seconded and it was unanimously carried to approve the Warrants from July 1, 2019 and July 15, 2019 as attached to the Minutes in the total amount of \$1,931,459.41.

#### APPROVAL OF JUNE INTERFUND TRANSFERS

Ms. Blundi moved, Ms. Tyler seconded and it was unanimously carried to approve the June Interfund Transfers as attached to the Minutes in the amount of \$1,348.932.07.

ENGINEER'S REPORT

Approve Escrow Release #5 for Yardley Woods f/k/a Big Oak Partners, L.P./Matrix

Mr. Pockl stated this Release covers work that was done to the storm sewer conveyance system, the sanitary system conveyance system, and a portion of the retaining wall on site. He stated the amount of Release requested is \$251,453.55.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve Escrow Release #5 for Yardley Woods formerly known as Big Oak Partners in the amount of \$251,453.55.

Authorize Payment to Property Owner at 1208 Woodside Road for an Easement to Construct the Woodside Road Bike Path Project and Authorize Payment to Property Owner at 1214 Woodside Road for an Easement to Construct the Woodside Road Bike Path Project

Mr. Pockl stated these are related to the Woodside Road bike path project and the Grant Application we have in with DCED. He stated this is to acquire an Easement for two properties along the north side of Woodside Road. He stated these are the two properties immediately west of Taylorsville Road. Mr. Pockl showed the location of the Easements. He stated there was a third party appraiser who appraised the value of the land. Mr. Pockl stated he has met with the property owners, and the dollar value being requested is based on the price per square footage that the third party appraiser came up with.

Mr. Pockl stated they are requesting authorization of payment to the property owner of 1208 Woodside Road in the amount of \$3,722.00.

Mr. Pockl stated this would be a payment that would only be made if both the current Application for the design and land acquisition was approved by DCED and the construction Grant Application which the Township intends to submit is approved by DCED. Mr. Pockl stated if the project moves forward with those Grant approvals, then the Township would pay for this land acquisition.

Mr. Truelove stated he would recommend that the vote be subject to receipt of the executed Memorandum of Understanding from the property owners.

Mr. Grenier asked since these are contingent upon approvals by other entities, is there a timeframe as to when it would expire and would they have to re-do an appraisal at some point to re-evaluate the number. Mr. Pockl stated not to his knowledge. He stated the Township expects to receive word on the first Grant Application by September 1 of this year and December of this year for the second Grant Application. Mr. Truelove stated he does not believe there would be anything that would change with regard to the Easements.

Ms. Tyler asked the number for the property at 1214 Woodside Road, and Mr. Pockl stated that one is \$6,132.

Ms. Tyler moved and Dr. Weiss seconded to approve payment to the property owner at 1208 Woodside Road for an Easement to construct the Woodside bike path pending approval of the Grant as described by the engineer in the amount of \$3,722.00 and the receipt of the executed Memorandum of Understanding from the property owner. Motion carried with Ms. Blundi abstained.

Ms. Tyler moved and Dr. Weiss seconded to approve payment to the property owner at 1214 Woodside Road for an Easement to construct the Woodside bike path project in the amount of \$6,132 contingent upon the approvals discussed by the engineer and subject to an executed Agreement from the property owner. Motion carried with Ms. Blundi abstained.

Approve Adoption of Resolution to Request Grant Funding from PA DCED in the Amount of \$437,500 for the Woodside Road Bike Path Project and Designate Kurt Ferguson as the Township Officer to Execute All Documentation

Mr. Pockl stated the \$437,500 amount was based off of the preliminary cost estimate that was completed to construct the bike path from Taylorsville Road up to just west of the driveway to the Golf Course. Mr. Grenier asked how this compares to what the Board looked at last year, and Mr. Pockl stated it is lower since he took out the portion from Taylorsville down to the towpath. Mr. Grenier stated they should have asked Mr. Donnelly if and when they were going to do the bridge across the towpath, and Mr. Pockl stated Mr. Donnelly had indicated that all of that would be done within a year from now. Mr. Ferguson stated they had indicated that with regard to connecting the trail from the bathroom back up to the road, they would be willing to do that provided the Township would put in a crosswalk at the light which the Township had advised them they would be willing to do. Mr. Pockl stated this would be a crosswalk across Woodside.

Ms. Tyler moved and Mr. Lewis seconded to adopt a Resolution to request Grant funding from PA DECED in the amount of \$437,500 for the Woodside Road bike path project and designate Township Manager, Kurt Ferguson, as the Township Officer to execute all documentation. Motion carried with Ms. Blundi abstained.

#### Discuss Bids for Memorial Park Improvements Project

Mr. Pockl stated there were no Bids received on Monday, July 15. He stated they had reached out to the fifteen contractors who had downloaded the Bid package from PennBid, seven of which were non responsive. He stated another portion of contractors indicated they were booked up for this year, and they did not believe this project was “worth their time.”

Mr. Ferguson stated the Township budgeted for this, and there is a Grant for this. Mr. Ferguson stated Mr. Pockl has discussed a reconfiguring of the timeframe for how long a contractor would be given to do the work with the idea that if it is bid out right away, we would give the ability for the contractors to start some of the work this fall and have a deadline that would go through the spring. He stated while the goal was to get the work done by the end of this year, they could start the project later this year, and get it done late next spring/summer when people would be coming out to the Park.

Mr. Grenier asked if it was in the 2019 Budget to spend all of the money in 2019, and Mr. Ferguson agreed. Mr. Ferguson stated they could carry some of that money over so it will not impact the 2020 Budget since it was accounted for in the 2019 Budget. Mr. Grenier asked if they will be having any issues with the Grant because of the delay, and Mr. Pockl stated he believes the Grant deadline is the end of 2020. Ms. Tyler stated she feels if they document what has taken place, she feels they could make a persuasive argument with regard to the Grant.

Mr. Pockl stated he feels the Township would be able to get a better price for the work if they were to extend out the timeframe for bidders to be able to submit a Bid. He stated if they are considering awarding this at the second meeting in September, they could put something back up on PennBid within the next week or so; and this would give the contractors six weeks to consider this and come in with an accurate number. He stated the Bid could be awarded in September for possible start of construction in late October, and extend out the timeframe. Mr. Pockl stated originally there was a 90-day construction period; and if they give the potential bidders more flexibility to be able to complete some of the work over the winter when they do not have other work going on, that might be beneficial to the Township provided the Township is comfortable with the fact that there might be construction equipment sitting there.

Mr. Pockl stated tonight they are looking for a recommendation for a re-bid of the project. Mr. Ferguson stated he does not feel the Board needs to memorialize in the Motion when the project would conclude, and they will work that out.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to authorize Remington Vernick to re-bid the Memorial Park Improvements Project.

## PROJECT UPDATES

### 2019 Road Program

Mr. Pockl stated construction has been started, and they are completing the inlet repairs and ADA ramps. He stated next week he will meet on site with the contractor on Quarry Road where they intend to start milling next Thursday and Friday with a possible full depth reclamation to start the following Monday, July 29. Mr. Grenier asked about any road closures. Mr. Pockl stated they will work with the contractor on the way they are staging their work on Quarry Road. He stated there is a detour plan that would give them the entire roadway, but it is understood that there are camps going on at Afton Elementary and at Grey Nun Academy, and those need to be accessed throughout construction; and that is part of what will be worked out during the pre-construction meeting with the contractor next week.

Mr. Pockl stated with regard to Creamery Road, initially they were going to complete the drainage improvements in advance of doing the rest; but the schedule received last week from the contractor indicated that they are moving the drainage improvements to after Quarry Road. Mr. Pockl stated he anticipates that work being done the third or fourth week in August.

### Makefield Road School Crossing

Mr. Ferguson stated they were again going out to do the work, but there was another issue with rain.

## MANAGER'S REPORT

### Approve Contract with SafeSlide Restoration for 4-Year Pool Slide Maintenance Plan

Mr. Ferguson stated the Board has received Ms. Tierney's report as well as the recommendation to enter into a 4-year pool slide Maintenance Plan/Agreement

with SafeSlide Restoration. He stated this is the same company that did all of the work on the slide this year. He stated they had to spend a bit more on the slides this year than anticipated. He stated we had been spending about \$15,000 a year to maintain the slides. He stated the repairs were done this year, and going forward with this \$5,600 Maintenance Agreement they will come out and do the work as outlined by Ms. Tierney in her report. He stated this will help them get the slides re-certified every year.

Dr. Weiss moved and Ms. Blundi seconded to approve the Contract with SafeSlide Restoration for a 4-year pool slide Maintenance Plan at the cost of \$5,600 per year.

Mr. Grenier stated SafeSlide had provided a number of different options, and the recommendation is to go with Option A which is the least expensive. Mr. Ferguson stated Ms. Tierney met with them to go over the framework; and there would be the opportunity that if it were determined that something more would be needed it was felt that this option would suffice. Mr. Grenier stated this would be entering into a Warranty Agreement for the slides for \$5,600 a year which is roughly \$9,400 less than what we had been typically spending on the slides per year, and Mr. Ferguson agreed.

Ms. Tyler asked if this extends the Warranty, and Mr. Ferguson agreed. Ms. Tyler noted the asterisks shown with regard to repairs and cracks. Mr. Ferguson stated he would defer to Ms. Tierney on this; however, he feels that if something dramatic were to happen to a slide that would fall outside the scope of a minor structural repair, that may not be covered under the Warranty. Ms. Tyler asked what is under the Warranty, and Mr. Ferguson stated they are giving a Warranty on the work that they completed which was getting the slides certified, and the work included sanding the slide and giving structural integrity to the slides and make them safe and usable. Mr. Ferguson stated this is a company that they have used, and they think highly of them.

Mr. Ferguson stated he recommends approval and added that Ms. Tierney met with them regularly during the whole process about continuing forward with them; and he feels that. Ms. Tierney felt that this was the best choice for the Township. Ms. Tyler asked if the \$5,600 per year will get four years of maintenance, and Mr. Ferguson agreed. He stated it would also get rid of what was being done before which was a \$15,000 set cost to get the slides operational every year. He stated the slides are now operational, and this will be maintaining them on a year to year basis. Mr. Ferguson stated the cost will be \$5,600 per year. Mr. Ferguson stated they spent \$53,000 this year to get the slides restored. He stated if they would not have done that and instead spent the \$15,000 a year for this year and the next four years, the total would have been

a total of \$75,000. He stated this year they spent \$53,000 “to get them right;” and after that we will be spending \$22,400 for four years which is also \$75,000 except that the slides are now properly in place.

Motion carried unanimously.

Approve Winter Traffic Service Agreement with PennDOT for Washington Crossing Road/Taylorville Road

Mr. Ferguson stated the Township plows this State road which is not a problem since they are driving over the road anyway. He stated this is a continuation of the Agreement, and this would be for five years with a total reimbursement to the Township of \$13,925.34 over the five-year period.

Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to approve the Winter Traffic Service Agreement with PennDOT for Washington Crossing Road/Taylorville Road as outlined by the Township Manager.

Mr. Ferguson noted that he is getting notices that West Ferry Road is closed at Cherry, and they will continue to post updates on Facebook. Ms. Tyler stated there are also a number of outages.

SOLICITOR’S REPORT

Mr. Truelove stated the Board met in Executive Session starting at 6:30 p.m. and items related to litigation, personnel, and informational items were discussed.

Accept Dedication of 5 Plus/Minus Acre Parcel from Regency of Yardley/Matrix Lower Makefield Residential LP, for Purposes of Open Space Preservation, Consistent with a Second Addendum to the Matrix Settlement Agreement, Conditioned on Supplying a Satisfactory Maintenance Agreement and Payment of \$18,513.45 Representing Financial Security, as Outlined in the Maintenance Agreement

Mr. Truelove stated there was a prior discussion with the Township and several individuals involved in RAM and Regency at Yardley/Matrix who came up with a Second Addendum to the original Matrix Settlement Agreement whereby a formerly planned pavilion was to be replaced by open space which would

eventually be dedicated to the Township with a Maintenance Agreement and payment for the Maintenance Agreement for financial security which is in the Maintenance Agreement. He stated this was reviewed by staff including Mr. Majewski.

Ms. Tyler moved and Dr. Weiss seconded to accept Dedication of the five acre, plus or minus, parcel from Regency at Yardley/Matrix Lower Makefield Residential LP for purposes of open space preservation consistent with the Second Addendum to the Matrix Settlement Agreement conditioned on supplying Maintenance Agreement, which they have, and payment of \$18,513.45, which they have, representing Financial Security, as outlined in the Maintenance Agreement.

Mr. Grenier asked if there are any stipulations on the five acres. Mr. Truelove stated in the Agreement it indicates that it can be used for active recreation, passive recreation, as well as conservation of land and other natural resources. He stated it allows the Township to develop it consistent with the Open Space Plan in a way the Township may want to use it. He stated the Township is assuming maintenance of the property so we will have to have access. He stated there is a provision in the Agreement that indicates that they will not encumber the Township's use of the property.

Mr. Grenier stated this particular open space is "interesting" because we are lacking public access at this time. Mr. Truelove stated since the Township has to maintain it, there will have to be access provided. He stated he will reach out to their counsel so that they can memorialize some type of Access Agreement although he does not feel it needs to be an Easement. Mr. Grenier stated that does not have to be worked out this evening.

Motion carried unanimously.

#### ZONING HEARING BOARD MATTERS

With regard to the Joan and Douglas Bennet Variance request for the property located at 2006 Makefield Road in order to permit construction of addition resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Bryan Ursic Variance request for the property located at 1250 Silver Stream Drive in order to permit construction of a fence within a stormwater easement, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the John D’Orazio Variance request for the property located at 1260 Silver Stream Drive in order to permit construction of a fence within a stormwater easement, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Douglas and Mary Agnes Brodowski Variance request for property located at 66 Black Rock Road in order to permit construction of a 3-car garage to be located within the 4<sup>th</sup> of the lot furthest from Ardsley Court and to have a height greater than 15’, Ms. Tyler moved, Ms. Blundi seconded and it was unanimously carried to instruct the Township solicitor to participate.

#### SUPERVISORS REPORTS

Mr. Grenier stated the Electricity Reliability Committee met and they have some ideas about potentially changing their charter which he can discuss at a later time.

Dr. Weiss stated the Zoning Hearing Board met last evening, and all matters before the Board were Continued. He stated the Zoning Hearing Board Chair, Jerry Gruen, will be leaving the Township and has resigned his position effective August 22. He stated the Zoning Hearing Board will be selecting a new Chair, and there will be one vacancy which they need to fill. Mr. Grenier thanked Mr. Gruen for his service.

Ms. Tyler left the meeting at this time.

Mr. Lewis stated Park & Recreation will have their annual driving tour on July 30. Mr. Lewis stated currently there are 606 residences without power in Lower Makefield which is about 5% of the residences.

There being no further business, Dr. Weiss moved, Ms. Blundi seconded and it was unanimously carried to adjourn the meeting.

Respectfully Submitted

Kristin Tyler, Secretary

