

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – FEBRUARY 19, 2020

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 19, 2020. Dr. Weiss called the meeting to order at 7:35 p.m. and called the Roll.

Those present:

Board of Supervisors: Frederic K. Weiss, Chair
 Daniel Grenier, Vice Chair
 James McCartney, Secretary
 Suzanne Blundi, Treasurer
 John B. Lewis, Member

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

COMMUNITY ANNOUNCEMENTS

Ms. Blundi wished good luck to the Lady Falcons playing this evening.

Dr. Weiss announced that TKM Band Acoustic Rock Trio will perform at Makefield Highlands on February 21 from 5 p.m. to 7 p.m. as part of the Winter Music Series.

Dr. Weiss announced that the 2020 Pool Registration is open. The discount period ends Friday, March 6 at 4:00 p.m. More information can be found on the Township Website.

Dr. Weiss stated the LMT Park & Recreation and The Pool Camp Registration is open and more information can be found on the Township Website.

Dr. Weiss stated LMT Park & Recreation and The Pool are hiring for all summer positions. More information can be found on the Township Website.

Dr. Weiss stated Doylestown Borough is hosting a movie screening about reducing single-use plastics on March 10, 2020 from 6:00 p.m. to 8:30 p.m. at the County Theater, 20 East State Street in Doylestown.

Dr. Weiss stated the Pool Feasibility Open Forum will be held on February 27, 2020 at 7 p.m. at the Community Center.

2019 Environmental Stewardship Award to the Pennsbury High School Environmental Science Club presented by the Lower Makefield Township Environmental Advisory Council

Dr. Weiss stated the Pennsbury High School Environmental Science Club has won the 2019 Environmental Stewardship Award presented by the Lower Makefield Township Environmental Advisory Council (EAC). Dr. Weiss thanked the EAC for administering this Award adding that this is the tenth year that this Award has been given. He stated it comes with a \$500 stipend which he hopes the group uses to further their good works.

Dr. Weiss stated the Pennsbury High School Environmental Science Club members through various fundraising efforts purchased refillable water bottle stations that have been placed in strategic locations in the High School. He stated this has resulted in a significant decrease in the use of single-use plastic bottles that are one of the major contaminants in our environment.

A plaque and the \$500 check was presented to the Environmental Science Club members present this evening.

Mr. Jim Bray, EAC, thanked the Board of Supervisors for their generosity in giving the \$500 stipend each year.

The Environmental Science Club President discussed the problems of climate change and pollution. She stated Pennsbury's Environmental Science Club has acknowledged these problems and attempted to find viable solutions to combat them. She stated starting in 2017, their Club introduced water bottle refill stations in the High School in an effort to reduce the use of plastic bottles. She stated they also participate in various community clean-up events each year. She stated they intend to use the funds received from the Township to conduct further activities. She stated their main objective for this year is to introduce water bottle refill stations in every hallway in the Pennsbury High School. She thanked all those who have helped them in their endeavors.

Dr. Weiss welcomed Dr. William Gretzula, Superintendent of the Pennsbury School District, and Ms. Ann Langtry, Communications Director for the Pennsbury School District.

APPROVAL OF MINUTES

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the Minutes of February 5, 2020 as written.

APPROVAL OF WARRANT LISTS FROM FEBRUARY 3, 2020, AND FEBRUARY 18, 2020

Ms. Blundi moved and Mr. McCartney seconded to approve the Warrant Lists from February 3, 2020 and February 18, 2020 in the amount of \$731,528.53 as attached to the Minutes

Mr. Grenier asked Mr. Ferguson the status of their projections two months in. Mr. Ferguson stated the books are closing now for 2019. He stated not all of the expenses would be 2019 expenses. He stated they should beat the net year-end estimates for 2019, and they will track 2020.

Motion carried unanimously.

APPROVAL OF JANUARY INTERFUND TRANSFERS

Ms. Blundi moved, Mr. McCartney seconded and it was unanimously carried to approve the January Interfund Transfers in the amount of \$666,234.80 as attached to the Minutes.

ENGINEER'S REPORT

Mr. Pockl stated that he provided in the Board's packet his report which outlined the Capital Projects and the status of the Development Projects.

Approve Escrow Release #5 (Final) for Oakmont Development

Mr. Pockl stated this is the Final Escrow Release for the Oakmont Development. He stated this would be a Release in the amount of \$228,541.50. He stated this would be contingent upon the developer issuing a check to the Township in the amount of \$5,000 to cover any future expenses. He stated in receiving the Notice of Termination from DEP, they had to obtain a Purchase Order to complete overseeding/stabilizing of certain lawns within the development. Mr. Pockl stated

that Purchase Order was in the amount of \$5,000; and therefore providing a check to the Township to escrow against that work allows the Township to release the rest of the Bond at this time.

Ms. Blundi asked if they could not just reduce the amount of the Release by \$5,000. Mr. Pockl stated the Release would close out the Bond and allow the developer to go onto the Maintenance Bond which is an eighteen-month Bond for any maintenance of future items.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve Escrow Release #5, the Final Release for Oakmont Development, in the amount of \$228,541.50 contingent upon the developer issuing a check for \$5,000 to the Township.

Approval of 2020 Road Program

Mr. Pockl stated Bids were opened on February 13. Six Bids were received with the Base Bid ranging from \$855,503.70 to \$1,236,000. He stated the low Bidder was James D. Morrissey, Inc., and they have been awarded the Road Program for the last two years. He stated in discussions with the Township staff and looking at the Budget for 2020, it is recommended to award the Base Bid in the amount of \$855,503.70, Alternate Bid #1 in the amount of \$51,141.90, and Alternate Bid #3 in the amount of \$12,176.80 to James D. Morrissey, Inc. Mr. Pockl reviewed the roads that would be included in the Base Bid, Alternate #1, and Alternate #3.

Mr. Grenier moved and Ms. Blundi seconded to award the 2020 Road Program to James D. Morrissey Inc. to include the Base Bid in the amount of \$855,503.70, Alternate Bid #1 for \$51,141.90, and Alternate Bid #3 for \$12,176.80 for a total award of \$918,822.40.

Mr. Lewis asked about Alternate Bid #2. Mr. Pockl stated that was Silo Road from Disk Road up to Harvest Drive which would have been \$45,000, and there were insufficient funds in the Budget to award that Bid. He stated it was Public Works preference to take Alternate Bid #1 over Alternate Bid #2. Mr. Lewis asked the total Budget for roads, and Mr. Ferguson stated it is \$912,877.00. Mr. Ferguson stated in looking at the Alternates, they could pick one of the first options and still have some money left; and it was felt that the \$12,000 for Alternate #3 could still fit within the scope of the \$912,000 Budget to try to do as much as they could. He stated it was the opinion of the Public Works Director that

Bid Alternate #1 would have a higher priority than Bid Alternate #2. He stated they then felt they could proceed with Bid Alternate #3 for \$12,000. He stated they would consider the street in Alternate #2 for the 2021 season.

Mr. Grenier noted there had been a previous comment made about Maplevale, and the Public Works Director was going to reach out to PA Water and the Bridge Commission to see if they would do work on that road. He asked if any progress had been made on that, and Mr. Ferguson stated he does not have an answer about that at this time.

Mr. Lewis asked If Silo Road would be at the top of the list for 2021, and Mr. Pockl stated the remaining portion that was a Bid Alternate #2 would be included in the 2021 list along with the other roads that are outlined in the Three-Year Program.

Motion carried unanimously.

Discussion and Motion Regarding Responsible Contractor Ordinance

Mr. Ferguson stated in the past there had been discussions about the thirty-day wait time in the Responsible Contractor Ordinance. He stated he understands the time has been waived or was shortened in the past. He stated there is a thirty-day provision where the Township does not proceed. He stated they had wanted to Bid the Road Program early which they did. He stated the contractors are now setting their schedules, and his concern is that the thirty-days could result in the Township being pushed back on the schedule which could push the program from being paved soon to later in the year. Mr. Ferguson stated they have used Morrissey the last two years; and he asked if the Board would consider shortening the timeframe so that the Township can move forward.

Dr. Weiss stated he would entertain a Motion to waive the Responsible Contractor Ordinance at this time. Mr. Truelove stated it would just be waiving the timeframe and not the other portions of the Ordinance which would still apply. Mr. Pockl stated as to the timeframe, there is a review period of thirty days, and that could be shortened to any number of days the Board would agree to for a review of the company. Mr. Truelove stated the review period is used to determine the responsibility of the contractor, and Morrissey has been awarded the Contract the last two years although that does not mean that the Township would not do their due diligence reviewing anything that might have occurred since the

last Program. He stated the Township staff knows what is going on in the Public and Private sector with respect to contractors. He stated while this would be done on a case-by-case basis, he feels in this particular case it would make sense to shorten the time period.

Mr. Ferguson stated while he does not have a specific recommendation, he does not feel they need the full thirty-day review period in this instance since the Township staff and engineers communicate with other towns when there are problems with a contractor, and they would be aware of lawsuits, non-payment, etc. He stated he believes that this has been waived in the past, and they had it shortened to ten days or some period which would give someone who has a concern or objection to express that to the Township staff. He stated if they did not hear anything in ten days, they could then proceed, although this would be a decision for the Board.

Mr. McCartney moved and Mr. Grenier seconded to reduce the period to ten days versus thirty.

Mr. Grenier stated it is possible that Morrissey may not start paving in thirty days, and he asked how this helps the Township. Mr. Ferguson stated this would allow the Township to begin with the pre-construction meetings and other documents so that the Township would be on the top of Morrissey's schedule and be their first job regardless of when work starts. Mr. Pockl stated they have made sure that the contractor has provided all the necessary requirements to be a responsible Bidder. He stated they will draw up the Contracts for the Contractor and then the Township to sign. Mr. Grenier stated the benefit is therefore both administrative and for the schedule. Mr. Ferguson stated the final clean-up items will be able to be done earlier in the year if they are done paving in May as opposed to if paving is done late in the fall.

Mr. Lewis stated while he is generally in support of this, he would have liked to have been advised of this recommendation prior to the meeting so that the Board could consider it beforehand.

Mr. Zachary Rubin, 1661 Covington Road, stated he feels an Ordinance is a law which has been advertised, was passed, and there was public input. He stated while he supports the sense of what they want done, he asked if they can just Waive the Ordinances by a vote of the Board of Supervisors. Mr. Rubin stated by Waving it, the Board of Supervisors is basically changing the Ordinance. He asked that Dr. Weiss ask the Township solicitor if the Board can Waive

parts of the law in our Township arbitrarily. Dr. Weiss stated the Board can Waive the Ordinance. Mr. Truelove agreed with Dr. Weiss. Mr. Truelove stated he also does not feel that what is being considered in this particular case is being done in an arbitrary manner, and there is a thought process that goes with it. He stated the Board may want to consider if they want to Amend the Ordinance so that it reflects what they are proposing; however, in this case there is the press of time, and it would be in the best interest arguably to proceed with the Motion.

Mr. Rubin asked if the Ordinance included a provision for a Class A Apprenticeship Program, would it be legal for the Board to Waive that provision; and Mr. Truelove stated it can be depending on the circumstances. He stated as he noted previously there may be a better way to craft the Ordinance so that they give the Township flexibility within the timeframe. Mr. Rubin stated he feels if they want to change the Ordinance, they should Amend it to say “up to 30 days,” and he does not feel they should “toss out parts of our Ordinances.”

Mr. Grenier stated when they go through the SALDO process, they do grant certain Waivers. Mr. Rubin stated that is different since the Board can give relief to certain contractors, and if it was the Zoning Board it would be a Variance. He stated he feels the Board can give relief, but he feels this is different. Mr. Grenier stated they are not Waiving the whole process of the Ordinance, and they are just Waiving the thirty-day requirement. He stated they are still doing all of the required reviews, but they are getting it done in a more timely manner to allow the Township to proceed with the Road Program.

Dr. Weiss stated while Mr. Rubin may be right that the best thing to do would be to Amend the Ordinance, there have been many precedents for the Board to Waive the time limits for the Responsible Contractor Ordinance.

Mr. Lewis stated the actual Ordinance does not provide any flexibility to the Board and it indicates that it requires thirty days.

Mr. Lewis offered a friendly Amendment to ask the Solicitor to review the Responsible Contractor Ordinance to see if a change can be reflected to allow for up to thirty days as opposed to the thirty-day provision.

Dr. Weiss stated the Board has the authority to Waive this, and it has been done before.

Mr. Truelove stated what Mr. Lewis has suggested could be a separate action, and he understands that his office would be directed to look at the Ordinance to see if that is the requirement and whether an Amendment would be appropriate to change it to “up to thirty days.” Mr. Lewis stated he feels that this would be a minor change, but would be important with regard to respect for the Law. Mr. Lewis stated he would withdraw his friendly Motion and allow the current Motion to continue and then make a Motion to explore this further.

Ms. Blundi stated they are actually not Waiving anything, and they are just considering reducing the timeframe for when they have to get the requirement done from thirty days to ten days. She stated they are still going to be bound by what is required; and rather than possibly putting the Township in what possibly could be a detrimental position because of the thirty-day requirement, they are reducing it to a ten-day period to preserve their place as first for the Road Program.

Motion as originally made reducing the time period to ten days carried unanimously.

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to ask the Solicitor to explore Section 99-6 Contractor Responsibility Review and Determination specifically Chapter A and consider revising the language that says “at least thirty days” to “up to thirty days.”

PROJECT UPDATES

Sandy Run Road Project

Mr. Lewis stated at the last meeting Mr. Ferguson indicated they would be following up with this aggressively. He stated it has been indicated on the Agenda that there is an RFP for design in progress, and he asked where this is specifically with the timeline. Mr. Ferguson stated while he cannot give a specific timeframe, they are in the initial phases of the scope of work that has been provided to staff from Mr. Fiocco that they will incorporate in the framework of an RFP. He stated he and Mr. Fiocco will be meeting on some items, and he will have Mr. Majewski and Mr. Hucklebridge involved as well early next week. He stated once anything is done, he will provide it to the Board for their review in advance of anything being advertised. Mr. Lewis asked if the hope is that they will still be on track to resolve the issue by the end of the year, and Mr. Ferguson agreed.

Pool Bathroom Project

Mr. Grenier stated the Update shows that the proposal for award is anticipated at the March 4 Board of Supervisors meeting. He asked if that will go before the Park & Recreation Board for review and comment, and Mr. Ferguson stated it will not. Mr. Grenier stated historically they have had the Park & Recreation Board provide their input on items. Mr. Ferguson stated if the Board of Supervisors wants to, they can do that; however, he added that this is a project that was in the Budget, and he feels it is in the purview of the Administration and the Park & Recreation Director to come up with a recommendation on the scope of work that needs to be done. It was noted that the next meeting of the Park & Recreation Board will be March 10 which would be after the Board of Supervisors' March 4 meeting. Mr. Grenier stated he would appreciate the Park & Recreation Board's input.

Mr. Ferguson stated they can therefore push this off to a later date for the Board to approve. He stated he was trying to move quickly because he wanted to at least get one of the bathrooms done before the Pool opens and one afterwards.

Mr. Ferguson stated he would like clarification from the Board of Supervisors at some point on what management is allowed to do and what they are not allowed to do. He stated if the Board wants all of this done by Committee, he will "toss everything to Committee." Mr. Ferguson stated it was his understanding that in a Council/Manager form of Government, "that they process things." He would like clarification from the Board on this, and he would follow whatever direction the Board gives moving forward.

Dr. Weiss stated they have been discussing this project for quite some time in an ongoing effort to renovate the Pool complex. He stated if they want to get something completed before the Pool opens, two weeks is critical. He stated he would recommend that the Board let staff do what they are trained to do. He stated if there are issues that are brought up at the February 27 Pool Feasibility Forum on this or any other issues, they can be reported to the Board when they get the anticipated Bids. Dr. Weiss stated he plans on listing this item on the March 4 Agenda of the Board of Supervisors.

Mr. McCartney stated there could be feedback from the Pool Feasibility Forum prior to the March 4 Board of Supervisors meeting although that would not necessarily be from the Park & Recreation Board. Mr. Ferguson stated that meeting is not going to be specific about the bathrooms, and it will be about a variety of things including what the Feasibility Study is to assess such as the structural integrity of the Pool, programs, etc. He stated there has been

a constant question during his time with the Township about the lack of ventilation in the Pool bathrooms. He stated there are also some structural issues with the bathrooms. He stated if it is the will of the Board that the Park & Recreation Board weigh in on what work is done, the tile used, the ventilation options, etc. he will defer to the Board of Supervisors on that. Mr. Ferguson stated they are also trying to find creative ways to pay for things because the work will be expensive, and they would like to find a way to do the work this year.

Dr. Weiss stated he feels the staff should proceed, and the Board of Supervisors can look at the Bids; and if they require extra time, they can send it to Committee if that is needed.

AUTHORIZE PURCHASE OF FOUR LEAF VACUUM TRAILERS AT A COST OF \$315,000 FROM GOLDEN EQUIPMENT COMPANY

Mr. Ferguson stated last year they made a Grant request to DEP for the leaf vacuum trailers. He stated the Township has nine of these which range in age from fifteen and twenty-five years old, and four of them were non-functioning last year. He stated the Township did receive the entirety of the Grant that he and the Public Works Director had put in. He stated the request is to purchase four trailers for \$315,000; however, the Grant that was received was in the amount of \$306,416 so there will be a net cost to the Township of \$8,584.00. He stated if approved he believes the trailers will be integrated into the leaf program for this fall.

Ms. Blundi moved, Mr. Grenier seconded and it was unanimously carried to purchase four leaf vacuum trailers at a cost of \$315,000 from Golden Equipment Company.

SOLICITOR'S REPORT

Mr. Truelove stated the Board met in Executive Session beginning at 6:50 p.m. and informational items, Contracts, personnel, collective bargaining, Real Estate, and litigation were discussed.

DISCUSSION ITEMS

Discussion of Formation of a 20-Year 9-11 Anniversary Advisory Committee

Mr. Grenier stated 2021 will be the 20th Anniversary of 9-11, and they anticipate having a larger event and they would like to have more time to plan. He stated the Special Events Committee and other Committees have discussed setting up a 20th Anniversary Committee specific to that event and help organize it further out than has been done in the past. He stated he does not want to vote tonight on establishing a Committee, but he would like to make a Motion to allow staff, primarily the Park & Recreation Director, to start to develop some ideas around that Committee and give the Board of Supervisors some guidance so that they can then establish a Committee in the not too distant future.

Ms. Blundi stated they are all “very sensitive to that date,” and she would not want them to “set the word Anniversary.” She stated it is a Memorial, and whatever is formed, the words should be chosen carefully.

Ms. Monica Tierney was present and stated the 20th Anniversary falls on a Saturday when many people would be available. She stated with regard to the word “Anniversary,” that is something the Committee could consider as to how they will bring attention to this and to create a plan for the activities surrounding the event whether it is educational programming, a memorial service, or even something held the day after to celebrate how America came together. She stated she feels they should see how the community wants to do this. She stated she knows that everyone experienced 9-11 differently, and they should consider that when creating the Committee by having a diverse group of people work on the project so that they are incorporating everybody in the activities. She stated she does understand this is very sensitive. She stated she does not feel that Park & Rec should do this alone, and she feels they should create a Committee.

Mr. Lewis stated he is generally open to the concept but the process may be very difficult. He stated perhaps this strategy could yield a better outcome, but it would have to be mindful and very sensitive to the victims’ families who are still dealing with the issue to this day and do not always speak in one voice. He would concur that there should be a diverse group, but they should realize that there will be significant difficulty in revisiting this for certain people.

Ms. Blundi stated she is glad that they are thinking about this in advance. Mr. McCartney stated he feels they should consider this along the lines of an observance. Ms. Tierney stated she feels it is important to form a Committee to consider these issues before they go public about what will take place.

Dr. Weiss asked if it would be appropriate at this time to start reaching out to individuals who might be interested in working on this observance and report back to the Board of Supervisors to consider a possible Committee, and Ms. Tierney agreed.

Mr. Grenier stated he is not sure whether they are going to make this a formal Committee by Resolution and conduct interviews. He stated he would like to allow the staff including the solicitor to come up with ideas about the structure of the Committee, the size, and goals, etc., and provide that information back to the Board of Supervisors.

Ms. Blundi stated they should also not lose sight of 2020 as they discuss 2021. She stated at this point they are just gathering information. Ms. Tierney stated she felt that they would keep 2020 the same as they have had in the past, but make 2021 a little more special.

Dr. Weiss stated he does not believe it is necessary to have a Motion, and there is a consensus on the direction on what they want to do. He agrees starting sooner than later is appropriate. He asked that Ms. Tierney, the Township Manager, and staff report to the Board of Supervisors at a future date.

Discussion on Upcoming Census

Mr. Lewis stated while he does not believe any Board action is required, he asked if we have reached out to the Census group in anticipation of the April 1 Census. He stated the Township has a Canvasser Ordinance and people should be aware that they can avoid having a Census taker come to their home if they fill out their form on-line or in the mail, and that they should not be concerned if a Census taker comes to their home. Chief Coluzzi suggested that something be put on the Township Website and Township Channel to let the residents know. He stated residents can always check with the Police Department to see who is on the solicitor's list. Mr. Lewis asked if all the Census canvassers would be automatically approved; and Chief Coluzzi stated that while they would be, we would still want to keep a record so we know who they are.

SUPERVISORS REPORTS

Mr. Lewis stated that the Zoning Hearing Board advised him that they have two vacancies. He stated they have two Alternates who are providing support at this time, and hopefully the Board of Supervisors will be able to take action on that quickly.

Mr. Lewis stated that the Disability Advisory Board met and they provided the Township Manager a memo which he read into the Record including discussion of their new priority of partnering with Township officials and builders to insure that new construction within the Township is as inclusive of people with disabilities as possible. He stated as part of that partnership, they are asking that the Township work with the Disability Advisory Board to create additional building recommendations that exceed accessibility requirements of the Americans with Disabilities Act. Mr. Lewis stated the Disability Advisory Board voted unanimously in favor of this memo.

Mr. Grenier stated there is an opening on the Sewer Authority if there is anyone interested in serving.

Ms. Blundi stated the Financial Advisory Council met and reorganized. Ms. Blundi stated Citizens Traffic Commission met and there will be an updated deer map on the Township Website soon which includes where deer accidents have happened over the last few years. She stated members of CTC are looking at those locations to make sure that there is proper deer crossing signage. She thanked the CTC for the work they do.

Mr. McCartney stated the Golf Committee met and they discussed additional ideas for the restaurant at the Golf Course. He stated there are two vacancies on the Golf Committee. He advised everyone of what there is to do at Makefield Highlands in addition to golf including entertainment and exceptional food.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Lewis moved, Mr. McCartney seconded and it was unanimously carried to appoint Michael Tritt and Matt Connors as full members of the Zoning Hearing Board.

PUBLIC COMMENT

Mr. Adam Fulca, 1441 Windower Lane, stated he will be starting his Eagle Scout project at Edgewood; and he asked if he should start the project at the Township or go to Edgewood. Mr. Truelove stated if the project is at the School itself, he would need to contact the Pennsbury School District. He suggested he find out the Board member for his Region to help him with this process. He stated the Township does not have any jurisdiction over projects at the School District. Ms. Blundi stated if the School District is not in favor of his project, Ms. Tierney, the Township's Park & Rec Director, would have volunteer opportunities in the Township he could consider.

Mr. Ben Fulca, 1441 Windower Lane, asked for an update on Sandy Run Road. Dr. Weiss stated the intersection has been closed for approximately three years and they have been trying to figure out ways to reopen the road. He stated after many attempts it has been determined that there can be a limited opening where drivers can make right turns out of Sandy Run and right turns into Sandy Run off Edgewood Road. He stated they will also add two mini roundabouts one at Schuyler and one at Mill Road and Edgewood. Ms. Blundi stated on the Township Website there is information on this which includes a video.

Mr. Zachary Rubin, 1661 Covington Road, stated he feels the Board owes the two high school students who just spoke an apology for making them stay out so late on a school night. He stated he is opposed to the moving of Public Comment to the end of the Agenda. He stated nowhere does it state that the Chair of the Board of Supervisors sets the Agenda, and it is not in the Second Class Township Code or in Robert's Rules of Order. He stated he would like to know if any other Supervisor was consulted or was it discussed about moving Public Comment to be "late at night." He asked if the other Supervisors have opinions about putting this at the end of the meeting.

Dr. Weiss stated before his election as Board Chair, he discussed with each of the members of the Board his intention to move Public Comment to the end, and there was not one objection at that time. He stated he was elected unanimously by his colleagues. He stated the Board and the public were aware of the change at the first publication of the first Agenda for this year. He stated it has been the prerogative of the Chair to set the Agenda in this Township "from time immemorial." He stated the Montgomery County Board of Commissioners has their Public Comment at the end of their meeting as does Bristol Township and Pennel Borough. He stated no one in those Municipalities complained, and they are all Democratically-controlled.

Dr. Weiss stated he knows Mr. Rubin's objection, and has heard it from Mr. Rubin twice. He stated for the remainder of the year, unless circumstances warrant, Public Comment will be at the end of the meeting. He stated he applauds the two young men who stayed and listened to the Board's business and waited until Public Comment to give their presentation and ask questions.

Mr. Rubin stated circumstances have changed since there were School students on a School night who had to come out this evening. He stated there is a public outcry through social media, and he has not been the only one who has come to a Board meeting and objected to this. Mr. Rubin stated he would like to hear what the other Supervisors think of Dr. Weiss putting Public Comment at the end of the meeting adding that the public is entitled to hear what the Board of Supervisors think of that.

Mr. Lewis asked to be recognized.

Dr. Weiss advised Mr. Rubin that his time for Public Comment was up, and that if he wishes to talk to the Supervisors off-line, he may at any time.

Mr. Lewis asked to be recognized, and Dr. Weiss stated he would not recognized for this question.

There being no further business Ms. Blundi moved and Mr. Grenier seconded to adjourn the meeting at 8:45 p.m. Motion carried with Mr. Lewis opposed.

Respectfully Submitted,

James McCartney, Secretary

