

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 2, 2020

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held remotely on September 2, 2020. Dr. Weiss called the meeting to order at 7:40 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, Supervisor

Others: Kurt Ferguson, Township Manager
 David Truelove, Township Solicitor
 Andrew Pockl, Township Engineer
 Kenneth Coluzzi, Chief of Police
 Monica Tierney, Park & Recreation Director

COMMUNITY ANNOUNCEMENTS

Dr. Weiss invited everyone to come to the Garden of Reflection on September 11, 2020 for a social-distancing Remembrance Event. He stated more information can be found on the Township Website.

Dr. Weiss noted that information on Parks and Recreation digital recreation opportunities can be found on the Township Website.

Dr. Weiss stated the EAC will be holding a Styrofoam Recycling Event on October 31 from 10 a.m. until Noon in the Township parking lot.

Ms. Blundi stated the paving of Big Oak Road has started, and the whole length of Big Oak Road throughout the Township will be re-paved.

APPROVAL OF MINUTES

Ms. Blundi moved, Mr. McCartney seconded and it was unanimously carried to approve the Minutes of August 12, August 17, and August 19, 2020 as written.

2019 AUDIT PRESENTATION

Mr. Greg Shank and Mr. Mike Gentile from Maille, LLP were present. Mr. Shank stated the Financial Statements are the Township's property, and they reviewed them and issued an opinion as to whether the Township has followed U. S. generally-accepted accounting principles, all Standards, and Disclosures. He stated they have given a clean or un-modified Report meaning that there are no qualifications because the Township has presented their Audit in accordance with U. S. generally-accepted accounting principles and followed the Standards applicable to Government.

Mr. Shank note Page 15. He stated with Governmental accounting there are two statements combined in the Report. He stated they represent the same activities on two different basis of accounting. He stated the Government wide statement presents the information on full accrual which is similar to the for-profit world. He stated there is also Government Fund basis which is on a modified-accrual and more closely depicts the Government's means of utilizing resources in and resources out. He stated that will more closely follow budgetary-type philosophy. He stated Page 15 shows the Government wide/ full accrual statement. He stated there are Governmental activities which include the General Fund as well as the Government Funds such as Debt Service Funds, Capital Reserve, etc. He stated there are also the Business-type activities Funds which are Proprietary Funds such as the Sewer Fund, etc.

Mr. Shank noted the Balance Sheet on Page 15. He stated on the hand-out that was provided to the Board, they are looking at the Assets and Liabilities. He stated this is a snapshot in time and it shows what are the Assets and the Liabilities of the Township at a specific time, and this specific time is December 31. He stated in Governmental Activities there was \$10,909,755 in Cash and Cash equivalent which is about a \$1.8 million increase over the previous year. He stated Receivables were approximately \$542,000 so the total Current Assets were approximately \$11 million. He stated they also see that there are Capital Assets of approximately \$88 million. Mr. Shank stated this is any Asset that has a useful life, and the Asset is capitalized and put on the Balance Sheet and then depreciated over time.

Mr. Shank noted the Liabilities. He stated the current Liabilities are what they would expect to be paid within one year from the Balance Sheet date, and there are long-term Liabilities which are approximately \$22,838,000. He stated the differential is the Net Position which is the Assets minus the Liabilities at a point in time. He stated the Governmental Activities

had a Net Position of Assets minus Liabilities of \$72 million. Mr. Shank stated that does not mean that there is \$72 million available because they are following the full-accrual basis of accounting. He stated on the Balance Sheet the \$88 million is included in this Fund Balance. He stated this is why they present different categories of Net Position. He stated in reality the Net Capital Assets net of Debt does not equal the \$88 million because you have to offset the corresponding Debt, and that is dedicated to Fixed Assets.

Mr. Shank stated looking at the Net Position, it is actually negative from an unrestricted standpoint. He stated that is not unusual on the Government wide today because there have been many changes in Governmental accounting standards particular to this statement. He stated one of them requires Governments to put the Pension obligations on the books which was a dramatic change and following that was OPEM which is Other Post-Employment Benefits like health insurance, etc. He stated those Liabilities have caused many Governments to show a negative unrestricted.

Mr. Shank noted the Statement of Net Activities on the next page which shows that Property Taxes went up, Transfer Taxes went down slightly, and investment earnings were better in 2019. He stated it also shows the Expenditures. He noted the change in Net Position. He stated with this they are not looking at one point in time but rather the twelve-month period ending December 31, 2019. He stated this shows where they are at the end of the year, and the Revenues exceeded the Expenditures thereby giving an increase of \$2 million in change in Net Position. He stated the Net Position at the beginning of the year is shown on Page 16 with \$70.593 million and the end at \$72 million. This shows how they got from the beginning of the year to the end of the year.

Mr. Shank stated Page 17 shows the Government Funds which more closely depicts the financials of the Government on a modified-accrual basis. He stated this is what the Bond Rating companies focus on as opposed to the Government wide. He stated they particularly place a lot of weight on the General Fund. He stated there are showing the General Fund Balance and change in Fund Balance. He stated on Page 17 of the Financial Statement it shows that Cash was \$4,066,339, and they are up approximately \$1.4 million from last year. He stated there are Assets of about \$4.5 million and Liabilities of about \$2.6 million. He noted the Fund Balance which are the Assets minus the Liabilities at a point in time, and you want this to be positive as that shows that there are Reserves which are resources that can be used for the next year. He stated it shows that the Fund Balance is about \$1.828 million at the end of

the year. Mr. Shank stated the GFOA (Government Financial Officers Association) makes a recommendation, and they want you to have no less than two months of Operating Expenses as a Reserve. He stated that is just a guideline as they also believe that smaller Governments should have a little more as they are less flexible with the Revenue sources. He stated elements of uncertainty would also cause you to want to have more Reserves. He stated with the Pandemic, this is one of the most uncertain times, and you would want to make sure that you can react to changes that you cannot foresee in the future.

Mr. Shank stated they are showing the Capital Reserve Funds, Debt Service, and the Special and other Governmental Funds.

Mr. Shank noted on the worksheet, the change in Fund Balance of \$1,288,583. He stated in 2018, Expenditures exceeded the Revenues; however in 2019, the Revenues exceeded the Expenditures by \$1,288,583. He stated that allowed them to take the Fund Balance from \$539,482 to \$1,828,065 which was presented on the Balance Sheet. He stated they have therefore increased the Fund Balance and overall Reserves.

Mr. Ferguson advised the Board the number that effected that Fund Balance change was the \$911,000 RACP Grant which was approved, with the funds received in November of last year. He reminded that Board that they had to re-state the 2017 Financials because that had not been received at that time. Mr. Ferguson stated without the \$911,000, we would have been balanced; however, that helped tilt it far more in the direction they are seeing. Mr. Shank stated that resides in the Inter-Governmental Revenue figures that is in the General Fund.

Mr. Shank noted Page 20 of the Statement which is a reconciliation. He stated in the Statement, they present the same information on two different basis of accounting; and this reconciliation shows all of the adjustments as to how you go from what you seeing on one page under one basis of accounting all the way to the other.

Mr. Shank noted Page 21 which are the Proprietary Funds. He stated unlike Governmental Funds, these are presented on a full-accrual basis of accounting, both in Government Fund and Government wide. He stated on the Sewer Fund, there is \$2,373,744 in Accounts Receivable this year which is up a little from last year. He stated there is \$17.592 million in Fixed Assets which is historical costs less depreciation.

Mr. Shank noted the Balance Sheet on Page 21 of the Statement which shows current Liabilities of approximately \$3.8 million and Long-Term Liabilities of approximately \$13.139 million. He stated current would be anything they anticipate paying in one year such as Accounts Payable, Accrued Expenses, and the current portion of Debt; and long-term would be primarily the net Pension Liability as well as the Bonds and Notes Payable. Mr. Shank stated that is approximately \$13 million.

Mr. Shank stated they look at the Assets minus the Liability at a point in time; and if they look at the end of December, 2019 the Sewer Fund had a Net equity of \$3,331,145; however, the portion that is dedicated to Fixed Assets which you cannot spend is \$4,097,805 and the unrestricted portion is \$-1.066 million so there is a deficit.

Mr. Shank stated they also show information on the Community Pool and the Golf Course.

Mr. Shank noted Page 22 regarding the change in Net Position. He noted the Sewer Fund which shows there was approximately \$8.2 million in Revenue which is up from approximately \$6.5 million last year. He stated there were Operational Expenses of approximately \$5.7 million and depreciation of approximately \$1.2 million. Mr. Shank stated there is Operating Income of about \$1.256 million, and after paying interest, there is Net Income before transfers in and out of \$1.081 million. Mr. Shank stated that is not cash. He stated if he were to look at the cash, he would take the \$1.081 million and add back depreciation. He stated Debt Service that was paid of \$695,000 is not going to show up on the P & L because it is directly reducing the Debt on the Balance Sheet. Mr. Shank stated on an accrual basis, there was an overall change in Net Position of \$900,000. He stated with regard to the deficit, it shows on the worksheet \$902,389 is the change increase of Revenues exceeding Expenditures versus last year which was a loss of \$1.3 million in 2018.

Mr. Shank stated with regard to the Golf Course, the Expenditures exceeded Revenue by approximately \$62,000 on an Operating basis. He stated the change in Net Position was \$385,000 leaving with a Net Position of \$1,104,947. He reminded the Board that \$874,000 of the \$1 million is related to Fixed Assets that you cannot spend. He stated the \$230,000 is unrestricted. Mr. Shank stated the Debt Service in the amount of \$625,000 is not on here. He stated they ended the year with about a \$392,000 Deficit that

needed to be funded, and it was funded by transferring monies into the Golf Course to cover that Deficit. He stated they need to consider that going forward when they are considering Budgets.

Mr. Shank noted Page 24 with regard to the Pension Trust Funds, and these are the Funds that are set aside for Police Pensions and non-Uniform Pensions. He stated it shows that there is \$12 million set aside at the end of the year for Police and \$8 million for non-Uniform. He stated this is just the Asset – not net of the Liability. He noted Page 25 shows what happened during the year. He stated there were good results in the Pension Fund, and the Net Position of Assets went up \$1.9 million for the Police and the non-Uniform went up about \$1.3 million. He stated in 2018 there was investment income in the Police Pension of a \$2 million increase and \$1.4 million for non-Uniform. He stated there was the benefit of a significantly good year for 2019 in the Pension Trust Fund; however, that does not mean that is where they sit today since it went down significantly, although currently it is back up. He stated they do not know what will happen in the future, and there is a lot of uncertainty.

Mr. Shank stated that is just the Assets of the Pension. He noted Page 54 of the Financial Statement there is a footnote on changes in Pension Liability. He stated they see the Pension Liability as actuarially determined. He stated they have determined that the Liability in the Police Pension is \$16.361 million. He stated the Assets are \$12.103 million so the Township has about \$4.257 million in Net Pension Liability. He stated on Page 55 this same exercise is done for the non-Uniform Pension, and there is about a \$2 million Liability for that. Mr. Shank stated adding the \$4 million and the \$2 million this gets to the \$6.3 million.

Mr. Shank reminded the Board that since the Pension obligations went on a lot of Governments had a negative amount, and this is something they are seeing across all Governments; and this is one of the biggest challenges that Municipalities and School Districts face because of funding these growing Pension liabilities.

Mr. Shank stated while the Liabilities went down because they enjoyed a good investment period, that can turn if the market turns, and the disparity can get greater.

Mr. Shank noted Page 43 which shows all the Long-Term Debt obligations of the Township. He stated they are separated by two parameters – one is the Governmental activity and the other is the Business-type activity. He stated

for the Governmental the beginning Principal was \$26,942,610, and they added approximately \$948,000 of Liability. There were no new Debt obligations with respect to Bonds, but they did have some Capital Leases for equipment and increases in the OPEM and compensated absences. He stated they did pay down \$3.5 million. He stated overall they went into the beginning of the year with \$26.9 million in Debt Obligations for Governmental Activities and ended with \$24.3 million so there was a reduction.

Mr. Shank noted the page showing the Bonds and Notes Payable. He stated for the Business Activities – the Sewer and the Golf Course they went from \$29.4 million to \$27.8 million so the Debt was reduced in that respect as well.

Mr. Shank suggested the Board read through all the Notes and stated there is much more in the Report than he went through this evening. He stated they need to recognize when looking at the Statement what basis of accounting it is on when they are considering how to Budget for the future.

Mr. Lewis asked if they sampled or analyzed all Inter-Fund Transfers, and Mr. Shank stated they did go through the Inter-Fund Transfers and also looked at the Board Minutes to see that the Transfers were approved by the Board. Mr. Lewis stated last year he asked Mr. Furman if he noticed any Contingent Liabilities that the Board has not previously discussed or disclosed, and he asked if there are any Mr. Shank uncovered. Mr. Shank stated there are not that he is aware of, and Mr. Gentile agreed. Mr. Shank stated if there was something that was Contingent it might rise to potential disclosure. He stated an issue or a lawsuit that they may be concerned about has to be both probable and estimable in order to have to book it as a Liability.

Mr. Shank stated a statement was put in the Disclosures related to the Pandemic indicating they do not know how this will effect the Township. He added that those relying on an EIT or other types of income-driven Taxes are going to be more susceptible to down-turns. Mr. Lewis stated he believes that we are currently within \$100,000 of our projected General Fund Balance for the end of the year. Mr. Ferguson stated he agrees that they will meet their Budgeted Fund Balance by 10% to 15%.

Mr. Lewis stated with regard to the unfunded Pension Liability, there was a significant improvement in investment performance this year as opposed to last year. He stated last year they discussed Lower Makefield compared

to other Municipalities, and it was noted that while we were below Upper Makefield and Solebury, the Township was in good shape compared to peer Municipalities; and he asked Mr. Shank if he feels that is still the case. Mr. Shank stated it is a big Liability, but this is not an extraordinary number beyond what he is seeing at a lot of Municipalities. He stated they do want to be focused on this since it is the largest challenge that any Municipality is facing. Mr. Lewis stated they still have the opportunity to increase the funding to cover that gap, and Mr. Shank stated he feels that is diligent in the planning. Mr. Shank stated there are certain variables that the Township cannot control such as investment income; and while there was a recovery, there is data that there could be turmoil in the future.

Mr. Lewis stated last year Mr. Furman had stated that Lower Makefield has a favorable Debt to Equity Ratio which he saw as strong as far as the Government wide Balance Sheet, and he asked Mr. Shank if he agrees with that. Mr. Shank stated he does not see anything this is extraordinary but it is not like a for-profit entity. He stated what he does see is the trend that the Township is steadily paying their Debt Service down now. Mr. Lewis asked Mr. Shank if he is comfortable with the Balance Sheet, and he asked if there is an immediate risk to the long-term safety of the residents of Lower Makefield financially. Mr. Shank stated as an Auditor he would not comment on that either way. He stated they are not allowed to speculate as to the future, and they are giving an opinion that what was presented was the right financial position and was done in accordance with GAP.

Mr. Lewis stated last year Mr. Furman took over from the previous auditor on the 2017 Audit, and at that time he asked Mr. Furman if he had found any inconsistencies or failures in terms of internal controls, improper misappropriation or anything bordering on something that was a mistake or “something worse than a mistake” in reviewing the work papers; and at that time Mr. Furman stated he did not find anything that was an issue with their work papers. Mr. Lewis stated this is their second year, and he asked if they found any issues with any prior financial activities of the Board. Mr. Shank stated this Audit covered 2019, and they did not uncover any issues. He stated what they do on an Audit is that they give an opinion; and while they are not giving an opinion on internal controls, they do have to understand them, and they look at everything. He stated if during their testing procedures, they become aware of any deficiencies whether they be significant or material weaknesses, they would have reported them to the Board in a SAS 115 letter. He stated they did not issue that because they did not note any material weaknesses during the year.

Mr. Lewis asked if there was anything that they uncovered issue-wise they might not have mentioned in the documents, but that they might orally tell the Board that this is something they need to watch out for; and Mr. Shank stated there was not, and Mr. Gentile agreed.

Mr. Grenier stated there were some items where there were some “good size swings,” and he specifically noted the Net Position. He stated in 2017 it was \$75.4 million/\$75.5 million, in 2018 it dropped approximately \$5 million to \$70.5 million, and in 2019 it went back up to \$72.7 million. He asked if there was anything that would cause such a swing. Mr. Shank stated the one item was the RACP Grant noted by Mr. Ferguson which came in. He stated the other swing that was significant was in the Sewer Fund, and they discussed how the Sewer Fund had a loss, but Rates and Revenue went up significantly. He stated in 2018, there was only \$6.6 million in Revenues, and there was \$8.2 million in current year Revenues. He stated in 2018 there was a loss and the Revenues were not enough to sustain and cover the Expenditures as there was a loss of \$1.3 million, and there was \$902,000 in Income. He stated they have gone from a -\$1.3 million to \$900,000. Mr. Gentile stated the Pension Liability is in that as well and the Liability dropped approximately \$2 million. Mr. Shank stated that is a combination of the actuarial-determined Liability and what they discussed with regard to the big upswing in investments. He added that is a “moving target,” and there could be a turndown in the market, and they could have a dramatic change there.

Mr. Grenier asked if they look at how they fund their Pensions and whether they are risky investments; and Mr. Shank stated they do look at how they are stratified and how they tie them out to the Statements, but they do not recommend investments as the Township has professionals who do that.

Mr. Grenier stated with regard to Expenditures, Public Safety went up. Mr. Shank stated those are not large swings, but Public Safety is the biggest Expenditure they see in Municipalities. He stated there are elements in there that include salaries, benefits, etc. He stated in 2018 they went from “10.5 to 10.6” and they held the Expenditures between 2018 and 2019 which he feels is a relatively low increase compared to what he is seeing. Mr. Grenier stated Public Safety is obviously the Police Department, and he asked if that includes any money that is given to the Fire Department; and it was noted that is correct. Mr. Shank stated this will

any money that is given to the Fire Department; and it was noted that is correct. Mr. Shank stated this will fluctuate year-to-year, and there is also Depreciation. Mr. Gentile noted the Pension Liability increase from 2017 to 2018. Mr. Shank stated there can be swings with depreciation and swings with actuarial changes in Liability. Mr. Shank stated this is Government wide, and this is why he wanted to explain to the Board the difference between the Government wide versus the Government Fund as the Government Fund will show a little bit more of what the Board is used to looking at in a trend.

Mr. Grenier noted the Fund Balance at the end of 2019 of \$1.828 million; and he asked how that relates to the approximately \$2 million they received for the cell tower. Mr. Ferguson stated they can “drip in one thirty-fifth of that a year which is approximately \$58,000,” so they will not be fully recognizing that. He stated as discussed previously, just because they recognize it, does not mean that they are transferring it or spending it; and it is just recognizing it in that number, and in next year’s Budget there will be \$58,000 that will be brought over and shown in that Fund Balance. Mr. Shank noted Page 17, and stated that Liability is in the Unearned Revenue. He stated they have the money, and the money went into the Cash Account when it was received; and instead of booking it to Revenue in one year, they had to book a Liability because they have a future obligation. He stated it is not a Liability that they are going to pay, rather it is a Liability that once they provide the service, they can release into Revenue. He stated that Liability will go down every year, and from a journal entry standpoint, they reduce the Debit and Credit Revenue. He stated each year there will be a Revenue recognition. He stated as noted it is not Cash coming in since the Cash already came in.

Mr. Grenier stated they did not spend that \$2 million, and if there was some kind of emergency and they needed access to \$2 million quickly, they have it. Mr. Shank stated there is \$1.8 million; however, last year, they had a Fund Balance of only \$539,000, so that money is not sitting in an earmarked account isolated to offset that. Mr. Ferguson stated while they could get that money if they had to, they would then be showing a “big minus of whatever was left that would be owed back.” He stated the \$58,000 would become irrelevant if they spend that money. Mr. Shank stated when the money was received it was not isolated into an account. He stated he knows this because they had that money before this year, but they started out the year with only \$500,000 in Net Assets. Mr. Shank stated the Township has an obligation to provide future rental for that. He stated in theory the Liability should not come up if they honor the Agreement, and this is not something that they will have to pay out unless they violate the Agreement.

Mr. Grenier noted the Management Discussion, and he asked who wrote this. Mr. Shank stated when GASBY 34 came about, they wanted Management to be able to write about changes in the Township. He stated it is completely a Management document at the front of the Statement, and it is un-Audited.

Mr. Grenier stated the estimate for the end of 2020 is \$632,000 and he asked what the assumptions were there specific to major projects that we have coming up related to Sandy Run, Quiet Zones, etc.; and he asked if that assumed that we were paying that out by the end of the year on the \$632,000. Mr. Ferguson stated the \$632,000 being talked about is specific to the General Fund. He stated there are different funds, and that was just assuming General Fund numbers. He stated with regard to Sandy Run, that would be money coming from Bond proceeds sitting in a different Fund. He stated whether that is spent or not would not effect that number because the money is earmarked from other Funds separate from the General Fund.

Mr. Ferguson stated there was a lot of discussion about Pensions, and he would like to point out that one of the things that they have in place right now is that other than the Police Pension Fund where there are restrictions, in the non-Uniform Pension Fund which includes himself, Public Works, and office staff, every new hire goes into the Defined Contribution Plan. He stated Mr. Shank and Mr. Gentile were discussing the Defined Benefit Plan and the obligations that we have over time to fund that. Mr. Ferguson stated overall we have an aging workforce that are non-Uniformed and all new hires will be going into the Defined Contribution Plan. He stated in time the Defined Benefit Plan for non-Uniform will go away since the Township pays the Defined Contribution Plan on a year-to-year basis and the obligations for those payments for those persons do not extend beyond that; and when they leave or retire, there are no other obligations, and they take their money with them and get their allocation as required. He stated currently there are approximately twenty-eight, full-time non-Police employees and approximately one quarter of those employees are already in the Defined Contribution Plan. He stated there are also a number of employees who are over sixty who will probably be leaving within a decade or so; and there will probably quickly be more than half of our non-Uniform Township employees in the Defined Contribution Plan which is good for the Township as they will not be carrying Liabilities long-term moving forward, and they will be Budgeting it year to year, which he feels is easier to do and more manageable.

Mr. Shank stated the existing people will be grandfathered in, and that Liability will exist; however, what they are doing is changing the substance of the new people going in. He stated they are seeing this elsewhere as well. He stated in the past they did not really know how much they had to fund because they had to consider all the variables such as life expectancy, etc. He stated a Defined Contribution Plan from a Budgetary perspective is much easier to control than a Defined Benefit Plan. He stated this is a tactic that is being utilized in many places as to how tackle the Pension obligation.

Mr. Ferguson thanked Mr. Shank and Mr. Gentile for their work, and Mr. Shank thanked the Township for the time to present.

SEWER CAPITAL EXPENDITURES – RE-BID STACKHOUSE PUMP STATION UPGRADE AND CONVEYANCE SYSTEM

Mr. Fred Ebert was present and stated the last time he was before the Board they reviewed the Bids, and the recommendation on the Stackhouse Pump Station was to look into what they could do to reduce costs so that it would be within Budget or to transfer money due to the fact that the other Contracts came in under their 2020 approved Budget. Mr. Ebert stated they met with a number of contractors to review the Bids and came up with items that they felt would save money; and based on their input, they came up with five items.

Mr. Ebert stated the biggest potential cost savings would be the removal of the muffin monster. He stated the second would be to open the Bid to alternative pump manufacturers and name them but allow for other equals and still maintain quality control. He stated they could also reduce the height of the valve vault and eliminate the hoist. He stated the next item is to eliminate the control building. He stated the final one would be to allow for the combined Bid of all three Contracts as a fourth Bid.

Mr. Ebert stated with regard to the removal of the muffin monster, the potential savings would be a total of \$65,000 - \$55,000 for the installation and the Mechanical Contract and \$10,000 for the Electrical Contract. He stated while a muffin monster is an industry term, it is actually a brand; and there are other manufacturers they could use which would save about \$15,000 on the Mechanical Contract but the Electrical Contract would be the same. He stated while the other manufacturers' products are similar, he feels they are not of the same quality as the muffin monster. He stated

it has to do with how the muffin monster handles the wipes and other cleaning items that are becoming more prevalent due to COVID-19. He stated the existing pump station does not have either a cleaning rack or a muffin monster, and there are large pump stations such as Heacock which do not have a grinder on them. He stated there they have hundreds of units going to them, but at Stackhouse, there are only forty. He stated if this were a larger pump station, he would have a strong opinion that they need the muffin monster. He stated given the wipes and the impact they have, they included the muffin monster in the design because it is the right way to do it; however it is a small pump station and there is a Budget with difficult decisions that have to be made.

Mr. Grenier asked Mr. Ebert if the design could be completed such that if they were to not include the muffin monster now, it could be included at a later date. Mr. Ebert stated in the wet well they could, and he would have the access hatch and set it up so that there was a trash rack that would slide down the same rail system. He stated where it would impact would be on the decision for the control building which he will discuss further. He stated he has retrofitted these on many larger pump stations at a later time. He stated they would not get all the savings because he would have to design the access hatch and a rail system to allow for that so that it can easily be done later.

Mr. Ebert stated another option to reduce costs would be to allow for alternate pump manufacturers. He stated by opening the pump control package up, there is a minimum savings of \$15,000 because it allows for more competitive Bidding. He stated his recommendation would be to name three equal pump manufacturers – Flight, Barnes, and Hydromatic; and this would significantly increase the competition. He stated they are all quality products; and while Flight is the most popular, most of our pumps are Barnes. He stated he would allow “or equals;” however, there are definitely some pumps and controls that are not the same quality and even though they would be at a significantly lower price, he would not recommend approval of some of them because they want a pump that is going to last fifteen to twenty years and not just five years.

Mr. Ebert stated the next option is to reduce the height of the valve vault. He stated the valve vault was designed so that a person could stand up inside of it to perform the maintenance, and it had the piping about 2' off the ground so it would be easy to change out the meter, but they only change out the meters once every seven years. He stated they could reduce it by 2' and still have it over one foot off of the ground, and that would save \$3,500. He stated there is an access hatch. He stated the design included a

hoist so that they can remove the equipment at any time; however the Township does own a truck with a crane on it. He stated removing the hoist and socket would be a savings of an additional \$3,000.

Mr. Ebert stated another option is to eliminate the control building. He stated currently they have proposed a 7' by 10' control building which is stick frame with fake stone because it is next to a very nice house, and they did not want to impact that house. He stated it would look like a spring house. He stated this is not a high-traffic area. Mr. Ebert stated they could save approximately \$17,500 if they were to reduce this and go with a stainless steel enclosure which has a pavilion over top of it to prevent the sun from getting on it and causing too much heat. He stated if they wanted to install a muffin monster in the future, they could not do so because of the amount of noise that would be generated. He stated if they eliminate the control building, they eliminate the ability to have a muffin monster. He stated there are submersible electric motors that are not as good but not uncommon in the industry. He stated a hydraulic unit works better and is more efficient.

Mr. Ebert stated an option with a big potential for savings is to allow for a fourth Contract that would allow for all three Contracts to be Bid as one Contract. He stated the contractor would still need to meet the requirements of the three individual Contracts and meet the wage determinations. He stated this would give them the ability to not have to coordinate the work with two other contractors. He stated this has become a much bigger savings due to COVID because they will then have just one group working. He stated it is difficult to maintain the six feet inside these small areas. He stated there is also a lot of economies of scale in terms of mobilization and clearing. He stated in this way you would not have one contractor coming in to excavate and another contractor coming in for the conveyance line. He stated this is why there were only two Bidders on the conveyance line. He stated otherwise they have to come in and do the work, wait for the connections, and then re-mobilize back. He stated if there is one contractor, they can build this as one continuous job; and they are saving six potential mobilizations as opposed to one contractor coming on and staying on. He stated he is estimating that this will be a \$40,000 savings. Mr. Ebert stated the contractors indicated that they would rather Bid it as a fourth Bid for all three Contracts than as a de-duct of all three Contracts.

Mr. Ebert stated he would like direction from the Board as to which options, if any, the Board would like to consider. He stated the Bids that came in were approximately \$136,909 over the Budgeted amount in 2020. He stated if they were to agree to all of the options, they could reduce the cost by \$144,000. He stated the other Contracts which were awarded, without any contingencies for Change Orders which is a possibility, were about \$145,827 under the Budget so the Board could elect to transfer money from those other line items. He stated he would like to re-Bid this and have the Bid awarded at the Board's first meeting in October. He stated all of the contractors are aware that this is being re-Bid, and there will be little change in a lot of the major line items; and he will highlight the changes for them in the specifications and the summary of work.

Mr. Grenier stated if they remove the muffin monster but allow for it in the future, he understands that they would have to put back in the control building, and Mr. Ebert stated they would if they want to use the hydraulic. He stated they could do a submersible and not do a control building, but the savings on eliminating the control building would be reduced by another \$5,000 because there has to be a control panel big enough under the enclosure for it so they have to reserve space. He stated he would also upgrade the rail system so it could slide right down, and there would not be the savings on the access hatch. He stated they may lose \$10,000 out of the \$65,000 savings if they defer the installation of the muffin monster to a future time but would then have it ready to install it in the future.

Mr. Ferguson asked how far did the items awarded collectively fall under what the Budgeted expectations were, and Mr. Ebert stated they are under the Budget by \$145,827. He stated the Budget was around \$760,000, and the actual Bids came in at \$613,923. He stated they are under by approximately \$146,000. Mr. Ferguson stated if the Board still wants the muffin monster, they did come out well with the other parts of the Capital program.

Dr. Weiss asked how visible is the pump station to the road and the residents, and he asked if the control building is something that would be aesthetic for the neighborhood versus just being an enclosure. Mr. Ebert stated it would really only impact one person. He stated there are significant mature trees. He stated there is a curved driveway going down to it so that it would have the least impact on that mature neighborhood. He stated it would really only impact the person right

next to it. Mr. Ebert stated if they were going to eliminate the control building, he would do a pavilion-style enclosure with posts and a six-foot overhang. He stated he also might put a fake wall on the side that faces the resident's house, with fake stone on it. Mr. Ebert stated what they showed that property owner was what the control building would look like. He stated when they got the Easement from that resident, they did represent this to them. He stated he does not know how much this change would impact that homeowner.

Dr. Weiss stated if they were going to add the muffin monster later, they would have to build the building anyway because of the noise. Mr. Ebert stated he also feels that equipment lasts longer when it is inside a heated building even though in practice that is not shown to have a drastic difference. Dr. Weiss stated he would be in favor of combining the Contracts and would agree with "pre-building" for the muffin monster.

Mr. Ferguson stated when they obtained the Easement from the property owner it was represented that the building would be there.

Ms. Blundi asked the difference between the muffin monster and the lesser grinders. Mr. Ebert stated if he were to eliminate any kind of muffin monster in its entirety, it would be a savings of \$65,000. He stated if he went with a different grinding mechanism, he would save \$15,000. Ms. Blundi stated she understands that the gold standard would be that a grinder would be put in place because more people are flushing things that they should not be flushing, and this would be an extra safeguard; and Mr. Ebert agreed. Ms. Blundi stated this particular project only handles forty units; and if they were to decide where to spend grinder money, they might not choose to put it on such a small application. Mr. Ebert stated he would put it on the Heacock Pump Station.

Ms. Blundi stated with regard to the control building, she would be very reluctant to eliminate that since representations were made to the resident that if they cooperated with the Township they would build this attractive spring house looking building. Mr. Grenier agreed. Ms. Blundi stated she would be in favor of removing the grinder, Bid it out as a fourth Contract, and leave in the control building.

Mr. Ebert asked if they would recommend opening up the Pump Bid for the potential \$15,000 savings, reducing the height of the valve vault and removal of the hoist as he does not feel that hurts the quality of the project.

He stated while it is not a lot of money, it is approximately a \$21,000 savings. Mr. Grenier stated he would be in favor of that, and Dr. Weiss and Ms. Blundi agreed.

Mr. Grenier moved, Ms. Blundi seconded and it was unanimously carried to approve the re-Bid of the Stackhouse Pump Station upgrade to remove the muffin monster but inclusive of the ability to install the grinder at a later date including any pertinent structures that need to be included up front, be inclusive of the control building as outlined by the Sewer engineer, and to combine all Contracts.

ENGINEER'S REPORT

Mr. Pockl stated the Board had received his Engineer's Report. He stated the Road Program has been completed, but there are several outstanding issues concerning areas around several ADA ramps which need to be over-seeded and there are some ponding issues on Rose Hollow that they are going to remediate; and he is waiting for a schedule for that work to be completed. He stated they are withholding final payment until that work is complete.

Mr. Pockl stated an update on the Township MS4 Program was provided at the last Board meeting. He stated they are on schedule to submit both the Annual Report and the Pollution Reduction Plan by the end of September.

Mr. Pockl stated they are working on the Multi-Modal Transportation Grant Applications of which there are two. He stated one is for the ADA ramps associated with future Road Program work, and another is for the Woodside Road bike path.

Mr. Pockl stated with regard to Development Projects, the contractor for the Caddis Development is working with the developer to come up with costs associated with the revised Traffic Control Plan, and they are working on the driveway entrance along Oxford Valley Road. Mr. Pockl stated he had initially anticipated that they would be working on putting in the Traffic Control Plan and starting Dobry Road re-construction but that has been delayed until the internal issues between the contractor and the developer can be worked out.

Mr. Pockl stated they recently received a revised submission package from Erin Development for Final Plan review, and they will be reviewing that. He stated he understands that Mr. Grenier may have had some questions, and he asked that he reach out to him if he wishes as they are reviewing that Plan.

Mr. Pockl stated with regard to the Scammel's Corner Development he had a discussion with the developer earlier today. He stated the developer is responsible to mow the basin since the Development has not yet been Dedicated. He stated in discussions with PennDOT, PennDOT has indicated that they are not responsible for maintaining the grassed area along Afton Avenue, and as part of the HOP Application, the developer is going to be responsible for that. Mr. Pockl stated he has sent a letter notifying the developer of this, and they agreed that they will mow it while they review the HOP Application with PennDOT. Mr. Pockl stated the developer is out to Bid with the improvements to the rain garden in the cul-de-sac, and they anticipate having all work completed by the end of the month.

Mr. Pockl stated with regard to the Quarry Road PA American Water booster pump station, they have submitted shop drawings for the building and the fence. He stated he commented back that they were to eliminate the barbed wire on top of the fence, and the building is to have a stone façade at the bottom, and red vinyl siding on top.

Approve Change Order #2 for the 2020 Bike Path Project

Mr. Pockl stated this was for repairs/improvements to the bike path between Dobry Road and Oxford Valley Road. He stated this had been discussed at the last meeting, and the solicitor's office is still looking into the potential for reimbursement from the property owner of the Makefield Executive Quarters. Mr. Pockl stated the work has been completed, and the value of the work is correct; and he would recommend approval of the Change Order in the amount of \$4,000 to Polaris Construction.

Ms. Blundi moved and Mr. McCartney seconded to approve Change Order #2 in the amount of \$4,000 to Polaris Construction.

Mr. Grenier asked when they expect guidance from Mr. Truelove's office. Mr. Pockl stated he understands that Ms. Kirk has indicated that she believes it is the developer's responsibility. Mr. Truelove stated Ms. Kirk is following up with the developer, and they will have an update by the next meeting.

Motion carried unanimously.

Approve Pay Application No. 1 for the 2020 Bike Path Project

Mr. Pockl stated this work was completed about one month ago. He stated a subsequent inspection has shown that the paving has held up and is in good condition, and he recommended approval of Application No. 1 to Polaris Construction in the amount of \$41,937.40.

Mr. McCartney moved, Ms. Blundi seconded and it was unanimously carried to approve Pay Application No. 1 for the 2020 Bike Path Project in the amount of \$41,937.40 to Polaris Construction.

PROJECT UPDATES

Mr. Ferguson stated he anticipates at the first meeting in October to have on the Agenda advertising the Bid for the Multi-Use Trail. He reminded the Board that TPD had previously made a presentation. Mr. Ferguson stated Ms. Blundi had discussed that the paving on Big Oak Road is to start, and there had been a lot of discussion previously about the turning lane at Big Oak and Makefield Roads. He stated PennDOT has agreed to re-paint the lines at that intersection so that cars could maneuver around. Mr. Ferguson stated Mr. Fiocco has arranged that to be done.

Mr. Ferguson stated while this is not listed under Project Updates, they did get approval from the Bridge group to do the work on Maplevale; and they will continue to follow up with them on that. He stated he does have confirmation in writing that they intend to do that work. Mr. Grenier asked if they provided a timeframe, and Mr. Ferguson stated that was ambiguous; and he will continue to follow up with them. Mr. Ferguson stated the Public Works Director was on site with the Director to go over the start and stop locations, and the Director agreed to that length. Mr. Grenier asked if they are doing it or is the Township doing it and then being reimbursed, and Mr. Ferguson stated they will do it.

Dr. Weiss noted the Woodside bike path, and he stated they had a discussion last year about the Bridge Commission's obligation to build a pedestrian bridge over the Canal. He stated he was doing volunteer work in the area and noticed that they built a "beautiful" bridge connecting the new Toll Bridge

to the Canal path, but it does not appear that anything is being done between the Canal path and the west side of the Canal. Dr. Weiss stated before the Township starts building their portion, he feels they should have another meeting with the Toll Bridge Commission. Mr. Ferguson stated he agrees. He stated Mr. Majewski has had discussions about this, and he will make sure they continue to work on this.

MANAGER'S REPORT

Mr. Ferguson stated he anticipates having a Manager's Budget to the Board sometime in late October. He stated he will arrange to have individual over views with each of the Board members prior to that time to keep them up to date.

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

ZONING HEARING BOARD MATTERS

With regard to the Sandy and Rick Speicher Variance request for property located at 40 Sutphin Road in order to permit construction of an inground pool resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Adrian Biscoveanu Variance request for the property located at 761 Sumter Drive in order to permit construction of an inground pool resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Stephen and Mary Mooney Variance request for the property located at 1334 University Avenue in order to permit construction of an inground pool resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Barbara Curtis Variance request for the property located at 1540 Old Farm Court in order to permit construction of a fence over a Sewer Easement, it was agreed to leave the matter to the Zoning Hearing Board.

PUBLIC COMMENT

Mr. Robert Abrams, 652 Teich Drive, stated the public should know that the last rental that was received on the tower was \$113,000 a year; and currently with interest, we are getting about \$54,000 which leaves a deficit of \$59,000 per year on a thirty-five year Agreement. He stated the lost Revenue to the Township is therefore \$2,065,000 or more than the value of the Contract itself. Mr. Abrams stated Mr. Lewis had indicated that \$15 million for the Sewers was “left on the table.” Mr. Abrams stated with regard to the Overlay, it is guaranteed that this will cost the taxpayers no less than \$250,000 per year per the Temple Report. Mr. Abrams stated this Board “gave away Lower Makefield Township.”

Mr. Abrams stated at the last meeting Mr. Grenier indicated he was proud of “his green building,” but that is not going to “scrub the outside air full of ozone-depleting vehicle exhaust.” Mr. Abrams stated he has been in the environmental industry for over forty years so he is “insulted that Mr. Grenier said something like that to him.” Mr. Abrams stated Mr. Grenier ran along with Dr. Weiss on non-development and “totally lied to the public.” Mr. Abrams stated they are doing “nothing here but handing money over to everybody else.” He stated they handed \$15 million to Aqua, over \$2 million to the company that got the Contract on the cell tower, and now the “developer over there will be draining the Township of no less than \$250,000 a year based on estimates which he is sure will be double or triple that.” Mr. Abrams stated “this is how ghettos are made.” He stated we need to change the name from “Lower Makefield Township to Trenton ghetto west or Morrisville ghetto north.”

Mr. Abrams stated they have given away the assets of the Township, and the taxpayers are going to be paying when the Sewer increases start coming up. Mr. Abrams asked since it has not rained, and we have been paying for excessive rain, how much are they going to be returning to the taxpayers from the “excessive Sewer Fund.”

Mr. Gordon Workman, 1152 Kenneth Lane, stated he is part of Lower Makefield Football and runs the Flag Program. He stated he spoke to the Board about eight months ago regarding the use of Memorial Park for practice for the younger age groups for the Flag Football Program. Mr. Workman stated they are having a bigger struggle than usual this year with field space because they have no access to the School fields. He stated originally they were approved for the five to eight year old age groups, and they were hoping to add the nine to twelve year old age groups. He stated it would still be limited to the Flag Division and it would be just practice and no games. He stated it would be

Monday to Friday from 4:30 p.m. to 7:30 p.m. He stated they would respect the 9/11 period. He stated most of these players are under one hundred pounds, and there would be no tackle – only flag.

Mr. Ferguson asked Mr. Workman if he has discussed this with Ms. Tierney, and Mr. Workman stated he has discussed it with her and with Mr. McCartney.

Dr. Weiss asked if the Board had an objection to looking at ways they could increase not only the Flag Program, but other programs as well because of the School District field limitations.

Mr. McCartney stated this would be expanding on the age groups that football already had. He also noted that this would just be in the short term until all COVID restrictions are lifted or Pennsbury opens its fields back up. Mr. Workman agreed. He stated typically the majority of their Flag Teams practice at the Middle Schools; but given the COVID restrictions and the limitation on only Varsity Sports, Pennsbury is not giving Permits for any of their fields to outside organizations this year.

Mr. Grenier stated his concern is that they have prefaced this with the fact that it is due to COVID restrictions, but they want to give more options for field use because they are not allowed to use the School fields; however, we are still in COVID conditions. He stated he is concerned about allowing a number of children here when there is still the possibility of infections when in close proximity. He stated he can discuss first-hand how it is to deal with this, and it is not safe. He stated he is very concerned about opening up fields during COVID for this type of activity as he does not feel it is safe.

Ms. Tierney stated LMFA is already practicing under COVID restrictions approved by the Bucks County Board of Health. She stated this is not something that they are not already doing. She stated they are seeing this across the board with the School fields being closed, and space is limited. Ms. Tierney stated this Agreement was only for one-year anyway; and they were going to see how it went so it is not outside of the original Agreement other than expanding the age groups.

Mr. Grenier asked if the Bucks County Board of Health put out guidelines for sports. He stated this is the same Board of Health that indicated that three feet of separation is good. Ms. Tierney stated the Township had each one of the Leagues submit their Plans for both the Yellow and Green Phases and these were reviewed by the Department of Health and they

provided feedback and were approved. She stated adjustments were made as necessary. She stated she is also following up with all of the Leagues about their Plans. Mr. Grenier stated his concern about Bucks County specifically is that the requirements that have been put out across the board have been less than what the CDC is recommending, and they need to be cognizant of that as well.

Ms. Blundi stated Pennsbury is going to have fall sports, and the Suburban One League has confirmed that at this point. She stated she would urge the Board to write a letter to Pennsbury asking them to consider opening their fields back up under the conditions of safety that the Bucks County Government has put forth. She stated we have a lot of people who are trying to get outdoors and do it safely. She stated if many of the fields that they are usually able to access have been put off limits, she feels we should at least try to get Pennsbury to re-consider.

Dr. Weiss asked if the Board would agree to have Ms. Tierney coordinate this effort. Mr. McCartney stated he would be in favor of that if that is something that Ms. Tierney would want to do. Mr. McCartney asked if Pennsbury is moving forward under the same guidelines with Bucks County. Ms. Blundi stated as of last week Pennsbury indicated they are moving forward with all sports although she does not know all of the details. She stated some of their teams will be practicing on the fields, so she questions why the fields within our Township cannot be opened up as they have been in years past with Permits from Pennsbury provided those using them will follow the guidelines. She stated she would like the Board to ask Pennsbury to consider re-opening the fields. Mr. McCartney stated he would be in support of such a letter.

Mr. Lewis asked Ms. Tierney if this is something she feels she could schedule at Memorial Park as suggested by Mr. Workman absent Pennsbury. Ms. Tierney stated they could work together. She stated the reason they were permitting it for the younger ages is because they are “lighter” on the fields and do not harm the fields as much as the older group. She stated it would still be just Flag. Ms. Tierney stated all of the Township fields are over-used already, and there has been an influx of Registration for all of the sports. She stated she believes that Pennsbury is only playing Varsity sports this year, so all of the younger children are Registering for rec sports, and we are getting a high demand for Registration with less facilities. Ms. Tierney stated she can try her best to work with Mr. Workman, but there still remains a problem. Mr. Lewis stated he would be willing to give Ms. Tierney the discretion to work on whether she could make this occur scheduling-wise. He would also be in favor of Ms. Tierney

reaching out to Pennsbury to see what they could do about their fields. Mr. McCartney stated he would also be agreeable to that. This was also the consensus of the Board. Mr. Lewis stated Ms. Tierney has to consider the load on the fields and balancing different participants who want to use the fields.

Ms. Lauren Taylor, Glen Drive, stated with regard to the Overlay she had not seen anything about a study on whether additional Police will be needed. She stated she knows from Wegmans employees who work in Princeton and Warrington that the Police visit there multiple times a week. Chief Coluzzi stated it would be hard to say if additional Police will be needed until they see what the impact will be once the project comes to fruition. He stated the Supervisors have been very supportive in maintaining a good level of Police services and Police staffing thus far; and he is sure that if they run into a problem, the Board will not have a problem adding additional Police Officers.

Ms. Taylor stated her concern is the money that the Township will be getting will ultimately decrease because of the cost for additional Officers that they will ultimately need including their benefits, supplies, and another patrol vehicle. Ms. Taylor asked if additional Police were hired when Kohl's was built, and Chief Coluzzi stated additional Police were hired but it was not just for Kohl's; rather it was because the community was growing at that time, the population was increasing, and they were trying to keep up with calls for service and the workload for each Officer. Chief Coluzzi stated if staff was added, they would not just focus on Wegmans, and it would be additional public safety for the entire Township. Ms. Taylor stated she just wanted to make sure that this additional cost was being considered as this will be a huge impact on the community.

Mr. Grenier stated during the Land Development process as they go through the "project negotiations;" if they anticipate that additional Public Safety measures are needed, they can ask on some level for that to be included in a package from the developer. Mr. Ferguson stated he has negotiated Development Agreements that were part of the Land Development process that had certain factors included; and he noted one in another Township that involved a building that was not going to be entirely sprinklered, and the developer had agreed in part to cover the cost of additional equipment for the Fire Department. Mr. Ferguson stated if it can be definitively proven that there would be the need for another Officer even if the Officer would not be relegated specifically to that Use, the developer could assist in some part of this over a period of time with that cost. He stated he has also been involved in negotiations where there was an Agreement that an off-duty Police Officer would be hired to do extra detail and

be paid for by other than the taxpayers. He stated there are a variety of options to be considered during the Land Development process, and the Chief and Police Department can look to see if there is a measured impact, and see how they can work to offset that in different creative ways.

DISCUSSION ITEMS

EAC Facebook Page

Dr. Weiss stated the EAC has requested that they have their own Facebook page. He stated in his discussions with the Township Manager, he noted that would be the only standing Committee of the Township that would have their own page. Dr. Weiss stated here understands that there are no standing Committees in any of the surrounding Townships that have their own Facebook page.

Mr. Ferguson stated he does not want not to state “carte blanche” across Bucks County, but for the most part Committees do not necessarily host their own Facebook pages. He stated there may be a Trail Committee in Doylestown that has a Facebook page. He stated as he noted in his Report the question is that if they have a Facebook page for a Committee, which is in within the Board’s discretion to permit, it does pose questions as far as other Committees wanting that and all of the issues that go with having a Facebook page that the Board would have to determine as to how they would function. Mr. Ferguson stated if any of our Committees have something they want to post such as an EAC event like the Styrofoam Collection Day or something else, they would offer the Township’s Facebook page to post events or other things they want to have posted.

Dr. Weiss stated he feels the Board should discuss this again in the future. Mr. Grenier stated he hopes all of the Committees realize that they can leverage the Township’s Facebook Page for announcements. He stated the Park & Rec Department has its own Facebook Page, but that is run by the Township. He stated Yardley Borough’s EAC has a Facebook Page, and there is a fair amount of work that goes on between the Yardley EAC and Lower Makefield’s EAC so that may be where this idea came from. Mr. Grenier stated he feels all the Liaisons should emphasize to their Committees that they can leverage the Township’s Facebook Page and communicate that way. Mr. Grenier advised the residents to follow the Township’s Facebook Page as it is a great resource for getting information.

Mr. Lewis stated he feels there needs to be a Township communications plan and strategy about how we use social media and e-mails. He stated in addition to the EAC, Farmland Preservation had wanted to potentially publicize some items through Facebook. He stated he feels that there needs to be a process around that and a schedule for postings. He stated a communications plan would also allow for scheduling in advance the kind of content they feel the residents need to be up to date on.

Dr. Weiss stated they will continue to discuss this and will re-visit it in the future.

SUPERVISORS REPORTS

Mr. Grenier stated the Electricity Reliability Committee is reviewing the PUC's Annual Reliability Report for 2019, and they will be looking to schedule a meeting soon.

Ms. Blundi thanked the CTC, the residents, and Mr. Ferguson with regard to starting the process of moving the crosswalk button at Woodside Road and Lindenhurst Road which had been difficult to access; and the process has started to get it re-located. Mr. Ferguson stated they are coordinating with the Police Department and the Township traffic engineer so that they can move on these types of issues quickly.

Mr. Lewis stated he and members of the Farmland Preservation Corporation met on Sunday and cleaned up overgrowth from one of the Farmland Preservation properties.

OTHER BUSINESS

Mr. Grenier stated the last few months have made him aware of information such that he would move to remove Fred Weiss as Chair of the Board of Supervisors for a number of items that can be discussed. Mr. Lewis seconded.

Mr. Grenier stated two meetings ago he made a comment that he had received a phone call from a reporter stating that a Supervisor had made comments on the Record specific to himself one of which was a claim that he was having an "affair on his wife with a man." Mr. Grenier stated that was unfounded and untrue. Mr. Grenier stated this was at a time when he was ill, and this comment put a lot of stress on his family which was "strictly meant to do harm." Mr. Grenier stated he is not having an affair and he

loves his wife and children. He stated he was also made aware that the same Supervisor made a claim that was similar in nature to a public comment that was made by Joe Lingle on a few occasions “when he was referred to as a political boss in Lower Makefield and Lower Bucks who was trying to create a system of patronage throughout the Township.” Mr. Grenier stated he feels that he is the least political person on the Board as he does not attend events, donate, or endorse.

Mr. Grenier stated he has done research and has found that in May, 2019 Supervisor Weiss and his wife Cynthia Weiss set up a PAC called Keep LMT Blue which, based on the Registration documents, was set up specifically to support the LMT Board of Supervisors Democrat candidates for 2019 which was when Supervisors Blundi and McCartney ran. Mr. Grenier stated those documents notarized in Hillsborough County, Florida, provided a lot of information. He stated with reference to setting up a system “of patronage or pay to play,” you can look at those who donated to this PAC and they are Vince DeLuca, Bob Dwyer, Bob Rosenthal, and Joe DeLuca; and they are all the developers for Prickett Preserve. Mr. Grenier stated there was also a “hefty” donation from Cam Troilo, who is a developer in Lower Makefield, Wisler, Pearlstine which is Ed Murphy’s law firm that represents a lot of developers in Lower Makefield, and Joe Taylor, who is the CEO of Matrix Development.

Mr. Grenier stated most of that money was passed through to the Blundi/McCartney for LMT Supervisors PAC in the amount of over \$6,000. He stated Ms. Blundi had indicated at the meeting on Monday that she had never directly or indirectly accepted any contributions from any developers; however, he just read off six of them who are the “six biggest in Lower Makefield,” in addition to an attorney who often represents them. Mr. Grenier stated the Blundi/McCartney Campaign also had a fundraiser on June 13, 2019 which was attended by Mr. Dwyer, and he believes also Mr. DeLuca, although he is not positive.

Mr. Grenier stated in addition the Keep LMT Blue PAC has donated thousands of dollars to Judi Reiss for Congress both through the PAC and through individuals such as Fred Weiss, and the new PAC leader, Judith Gordon. Mr. Grenier stated in addition some other members of the Weiss family have donated to Judi Reiss for Congress. Mr. Grenier stated that is interesting given the claims that were made against him to the media on the Record in that Saul Weiss, who is Fred Weiss’ son, was an entry-level social worker at the County, and the year after Ms. Reiss was elected Prothonotary, Mr. Saul Weiss was appointed to be the Prothonotary’s Deputy “to the tune of a 32% pay increase.”

Mr. Grenier stated he cannot sit idly by being attacked on a regular basis publicly and behind the scenes by “so many people.” He stated Supervisor Weiss’s wife, Cynthia, has sent him private Facebook messages twice – one was to sign the Petition to support Wegmans and the second time was threatening him regarding the Sewer system. Mr. Grenier stated he “personally has endured a ridiculous amount of attacks all of it unfounded” while at the same time the people making these attacks are “doing exactly what they are claiming he is doing while he is doing nothing.” Mr. Grenier stated he can no longer support Fred Weiss as Chair of the Board. He stated he ran with Fred Weiss and allowed him to get close to his family, but he has now made these claims against him.

Mr. Grenier stated he is “incredibly disappointed” with Supervisor Blundi for not coming forward when asked on multiple occasions and admitting that she took money from these people. Mr. Grenier stated when he was asked “it was unfortunate, but he had to answer yes.” He stated to have not only Mr. Dwyer, but “all of them and then some donate directly and indirectly and use the Keep LMT Blue PAC to push the money through is beyond the pale.”

Dr. Weiss stated Mr. Grenier has gone from discussing personal attacks “from someone other than himself” to a PAC which he did help start but left within a month. Mr. Grenier stated all of those donations were made during Dr. Weiss’ time as head of the PAC. Dr. Weiss stated he believes a few were, but most were not; and he does not know how much was collected. Dr. Weiss stated he does know from a discussion with his wife, that Mr. McCartney and Ms. Blundi received about 10% of what was collected from the PAC. Dr. Weiss stated the PAC that he is aware of gave money to not only Judi Reiss’ campaign but also to various Democratic Candidates in the area including Perry Warren; and gave the bulk of the money to the Bucks County Democratic Committee. Dr. Weiss stated he had a “slight hand in forming the PAC,” and Ms. Gordon was kind enough to take it over when she was asked to do so, and he had nothing to do with it afterwards.

Dr. Weiss stated he has never made any personal attacks on Mr. Grenier in public or private. He stated he has not talked to Mr. Grenier other than at meetings since February of this year. He stated he has never had any words of personal disagreement with Mr. Grenier, and he is surprised that Mr. Grenier is making these comments. Dr. Weiss stated how a PAC donates its money is “its business,” but that has nothing to do with he being Chair of the Board of Supervisors. He stated he serves at the discretion of the majority of the Board and would step down as Chair at any time if a majority of the Board feels that is necessary.

Dr. Weiss stated he will cut off any further discussion as it is not necessary. He stated he will retain Counsel on slander if anyone decides to make another comment against him or his wife.

Dr. Weiss called the Vote on the Motion.

Mr. Lewis voted in favor of the Motion at this time.

Mr. Grenier asked Mr. Truelove if Dr. Weiss is allowed to cut off Supervisor comments. Dr. Weiss stated while Mr. Grenier can make comments, he again stated he will retain Counsel and Mr. Grenier will be subject to slander if he says something that is “blatantly false.” Mr. Truelove stated anyone can make a comment; but there has been an indication of potential litigation, so he would caution anyone from making any further statements about this.

Mr. Lewis asked what is the level of threshold upon which someone can be sued for slander if they are a public official. Mr. Truelove stated it is a higher standard for public officials. Ms. Blundi stated as long as it relates to the nature of the office. Mr. Truelove stated this would need to be reviewed, and he would not want to provide an answer at this time as that would be unfair to anyone asking that question.

Dr. Weiss stated he would say “that this will go past this conversation and this discussion.”

Mr. Truelove stated if any of the other Supervisors want to make comments, they can; however, they should “keep in mind what has been said so far.”

Ms. Blundi stated her campaign did get money from a PAC. She stated she has never looked into Mr. Lewis’ PAC but he donated, so possibly she should look into that and any other PACs that she got money from. Ms. Blundi stated she believes that Mr. Grenier stated it was “the bulk of the money,” and Dr. Weiss stated it was about 10%; and she will not discuss that since she has never looked at that information before. She stated she finds it disingenuous that Mr. Grenier has made this Motion and “somehow dragged her, Mr. McCartney, and Mr. Lingle” into this. She stated none of that was germane to the Motion made.

Mr. Grenier stated the Keep LMT Blue PAC made three contributions to the Blundi/McCartney for LMT Supervisors PAC totaling \$6,250. Ms. Blundi asked what this has to do with the Motion made.

Mr. McCartney asked Mr. Grenier who he is claiming stated he had an affair with a male. Mr. Grenier stated the reporter called him and stated that Dr. Weiss had stated on the Record that he was “friends with benefits with David Bria of Yardley Borough and was trying to set up a system of patronage in Lower Makefield Township.”

Dr. Weiss stated there is no proof of any of that, and he denies it.

Mr. McCartney asked Mr. Grenier if he is insinuating that his decision-making process while sitting on the Board was skewed by any of the developers or the attorneys that were involved with Prickett. Mr. Grenier stated what he is saying is that when the question was asked multiple times both last year and a few days ago the response was that neither Mr. McCartney nor Ms. Blundi had ever accepted money from any developers or vendors. Mr. Grenier stated the Record shows otherwise, and all of those developers and additional vendors have made contributions to the Keep LMT Blue PAC that were then submitted to Blundi/McCartney for LMT Supervisors. He stated he is not saying that it influenced his decision in any way, and is just saying what the notarized paperwork shows.

Dr. Weiss stated he is also making the assumption that Ms. Blundi and Mr. McCartney knew where the PAC donations came from; and if they say they did not know, they did not know. Dr. Weiss stated he gave the information that he himself knew. Dr. Weiss stated anything else being stated is irrelevant to the Motion.

Ms. Blundi stated it came up last year about the fundraiser, and she believes that Mr. Lewis had someone ask the question during Public Comment. Ms. Blundi stated she stated at that time and will state again there were many people at the fundraiser who did not contribute – “DeLuca, Dwyer, John.” She stated Mr. Grenier had stated that he was going to come “but got caught up at a meeting.” Ms. Blundi advised Mr. Grenier that he did not contribute, but he would have been welcomed just as others were.

Mr. Lewis stated “Ms. Blundi is bringing him into this a lot.” He stated the issue is not whether she did or did not accept the money or that it was “laundered through another PAC which is a common fundraising practice,” but the challenge is that “she avoided the question or denied it when the truth was very different.” Mr. Lewis stated for his personal PAC – Friends of John B. Lewis – he filed everything with the State and you can look on-line

and get that information at any time. Mr. Lewis stated the PAC that Mr. Grenier is talking about does not file with the State, rather it files with the County, so you cannot look that up on-line so most people do not get to see the data. Dr. Weiss stated he believes that you can look it up as a Public Record since obviously Mr. Grenier has the details.

Ms. Blundi stated she was just noting that Mr. Lewis has a PAC and that he contributed to the campaign. She noted that Mr. Lewis also used the word “laundered,” and she asked “if you call somebody and ask their Assistant to give a donation so that it does not look like someone’s name is that laundering.” She stated laundering is a criminal word.

Dr. Weiss stated while anyone can say what they want, there is no proof of any of this. He stated there is a Public Record, and anyone can look it up. He stated he has no problem with his actions. He stated if a reporter said something of that nature to Mr. Grenier and did not follow up, “they can print the story that he said that, and he will deal with it.” Dr. Weiss advised Mr. Grenier that whoever that reporter was, that comment did not come from him. Dr. Weiss stated he will “act accordingly to Mr. Grenier in the future.”

Mr. Robert Abrams stated he had identified over \$17 million that the residents may have “been shortchanged on deals we could have done better on,” and no less than \$250,000 a year moving forward. He stated there have been many statements made, even on Facebook, that Lower Makefield is “for sale.” He stated he just heard that “Lower Makefield was purchased.” He stated his question is what monies did Aqua America contribute and to who. He stated they know that Mr. DeLuca “and his buddies” for his Overlay contributed “immensely and contributed to the three that voted for it.” Mr. Abrams stated there is a “problem with every deal that went down here since this Board has been seated,” and it needs to be looked into. He thanked Mr. Grenier for being honest.

Dr. Weiss stated Mr. Grenier “is being less than honest in his opinion.” Dr. Weiss stated he received nothing from Mr. DeLuca or his group. Mr. Grenier asked if Dr. Weiss was calling him a liar as he is reading off of notarized documents. Dr. Weiss stated he is calling the information that he stated to be false. Mr. Grenier stated he can post all of it on-line as it is a legal document. Dr. Weiss stated he never made an insinuation about Mr. Grenier. Mr. Grenier stated he is not speaking about his sexual orientation, and he is speaking about the donations in the past. Dr. Weiss advised Mr. Grenier he can post whatever he wants. Dr. Weiss stated he ran in 2017 and got a \$500 donation from Equus,

Mr. Dwyer's group, which Mr. Grenier benefitted from in some part. Mr. Grenier stated he made that public at the last meeting, and Dr. Weiss stated he has as well on numerous occasions. Dr. Weiss stated there is a limit on slander on a public official, and Mr. Grenier stated he understands that very well. Dr. Weiss stated if Mr. Grenier feels he needs to retain Counsel, he may do so.

Motion did not carry as Mr. Grenier and Mr. Lewis were in favor and Ms. Blundi, Mr. McCartney, and Dr. Weiss were opposed.

Dr. Weiss advised Mr. Abrams that his "obsession with the cell tower is laughable" as there is \$2 million in the bank getting interest; and even if they were not getting interest, it would take over twenty years before they evened out, and they do not know what the technology will be. He stated with regard to the \$15 million "on the table" for the Sewers, that was vetted numerous times, and Mr. Lewis is being "more than disingenuous" when he stated that was an offer that came in at the last meeting. Dr. Weiss stated he could be coming to Mr. Grenier with an attorney. Dr. Weiss advised Mr. Lewis that they had discussions going back to his campaign about joint authorities, and Mr. Lewis should consider that before he makes more comments about Bucks County Water and Sewer. Dr. Weiss stated going forward his support for Mr. Grenier's and Mr. Lewis' Agenda will take a lot of convincing. He stated attacking his wife is crossing the line. He stated it is one thing to be in opposition to an idea and voting accordingly, but to attack individuals on their character is against the handbook of a Supervisor of a Second Class Township, it is against the Code of a Second Class Township. He stated he is very disappointed.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Blundi moved and Mr. McCartney seconded to appoint Jason Simon to the Electricity Reliability Committee which currently has three vacancies.

Mr. Grenier stated he spoke to the Electricity Reliability Committee about that. He stated they are looking to potentially re-align the Electricity Reliability Committee. He stated he has not had a chance to interview Mr. Simon, and as the Liaison, he was not able to ask any questions as "that interview seemed to go south rather quickly." He stated he was not there for all the questions, but he "caught some of it." Mr. Grenier stated he would not support Mr. Simon at this time for a few reasons. He stated one reason is because of conversations Mr. Simon has had with him, and Mr. Simon has "no background or knowledge at all of PECO, or anything technical that would support the many professionals

on that Committee who do have technical backgrounds.” Mr. Grenier stated Mr. Simon has also told him that “he just wants to come in and lead that group and show them what to do which he feels would be stepping on some people’s toes” who have been in that position for quite a long time and volunteer a lot of time to the Township to make it better. Mr. Grenier stated Mr. Simon also blacked out on his resume all of his clients, so they do not know if he has any conflicts with PECO or any of their associated companies. Mr. Grenier stated he is also aware of some comments “behind the scenes” that Mr. Simon has made about things going on with the Board that he does not find to be appropriate for someone who is going to represent us on a Committee and provide the Board with good-faith opinions.

Mr. Grenier stated he respects Mr. Simon’s volunteerism as a member of PAA, and he is a very vocal member of the community; but for this position, he does not feel it is appropriate. He stated potentially Park & Rec would be appropriate given his background, but not with regard to Electricity Reliability; and he would not be in support of that as the Liaison.

Mr. Lewis stated he feels it is best that he abstain on this as they work in competing industries and other issues.

Dr. Weiss stated he feels that Mr. Simon is an active member of the community, a former Supervisor, and a former member of PAA including Commissioner at one point. Dr. Weiss stated Mr. Simon is very concerned about the electric reliability of the Township and he is willing to learn. Dr. Weiss stated a quorum was present during his interview, and he feels they have the information needed to take a vote.

Motion carried to appoint Mr. Simon carried with Ms. Blundi, Mr. McCartney, and Dr. Weiss in favor, Mr. Grenier opposed, and Mr. Lewis abstained.

There being no further business, the meeting was adjourned at 10:30 p.m.

Respectfully Submitted,

James McCartney, Secretary

