

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JANUARY 17, 2007

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on January 17, 2007. Chairman Smith called the meeting to order at 7:35 p.m.

Those present:

Board of Supervisors: Ron Smith, Chairman
 Greg Caiola, Vice Chairman
 Steve Santarsiero, Secretary/Treasurer
 Grace Godshalk, Supervisor
 Pete Stainthorpe, Supervisor

Others: Terry Fedorchak, Township Manager
 David Truelove, Township Solicitor
 James Majewski, Township Engineer
 Kenneth Coluzzi, Chief of Police

A Boy Scout Flag Ceremony was held with the Pledge of Allegiance. Mr. Santarsiero thanked the members of Den 5 for performing this service. He noted they are working on a Badge involving learning about their home community and are present to see how local Government works and honor their Country by performing this ceremony. He congratulated the members of Den 5 for being good citizens.

Mr. Santarsiero called the roll.

Mr. Smith asked that everyone remember all those involved in the recent Pennsbury bus accident, especially Ms. Ashley Zauflik who was seriously injured.

PUBLIC COMMENT

There was no public comment at this time.

APPROVAL OF MINUTES

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to approve the Minutes of the Special Budget Meeting held 11/28/06 as written.

Mr. Caiola moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the Minutes of 1/2/07 as written.

SWEARING IN OF TOWNSHIP AUDITOR

Mr. George Schrader was sworn in as Township Auditor by Ms. Felice Smith.

APPROVAL OF JANUARY 2, 2007 AND JANUARY 15, 2007 WARRANT LISTS AND DECEMBER, 2006 PAYROLL

Mr. Santarsiero moved and Mr. Caiola seconded to approve the January 2, 2007 and January 15, 2007 Warrant Lists and December, 2006 Payroll as attached to the Minutes.

Mr. Stainthorpe stated he received the print out of Township expenses which included the full year expenses for 2006. He stated of great concern is what was spent against the \$90,000 which was Budgeted for engineering services as the total amount spent was \$233,000 which was 159% above Budget. He stated they also Budgeted \$90,000 in legal fees and actual expenses were \$250,000 for the year which was 178% above Budget. He stated with regard to the engineering fees there were extenuating circumstances, and they did agree to spend a substantial amount of money on a flood mitigation study. He stated he would like the Board to receive each month the amount of fees paid to each professional firm for each project. He stated there was a substantial amount of legal fees paid last year to Begley, Carlin for the Matrix matter. He stated while there were reasons for these costs, he feels the Board needs to do better next year as good managers. He feels seeing the report each month would be very helpful. He stated based on the month-to-date expense for this year which is only through January 12, 2007, they are on pace to spend \$250,000 in legal fees and \$250,000 in engineering fees again this year. Mr. Stainthorpe stated he did discuss his concerns during the Budget process; and for this year, they have increased their Budget but only to \$125,000. He stated Mr. Fedorchak had assured him that this was a realistic figure which they can stay within.

Mrs. Godshalk noted the Real Estate Transfer Taxes which were Budgeted as Income of \$1,450,000; and while they have collected 95% of this, most years they have gone over what was Budgeted. She asked if next month they will show more of what came in during 2006. Mr. Fedorchak stated there will be some adjustments once the books are closed, but the final number will be close to what is being shown. Mrs. Godshalk stated this is the first year in many years that they have gone short in the Transfer Taxes. Mr. Fedorchak stated they did discuss this during the Budget process as well. He stated there was a soft Real Estate market last year, but they were still able to come close to the Budget number. He feels there is some reason for optimism for 2007. Mr. Caiola stated they did receive information from a Realtor who deals frequently in Yardley Hunt who advised that the cost of the houses there went down slightly from 2005 to 2006. He feels this was probably Township-wide. He stated he read that they may see a rebound in 2007.

Mr. Santarsiero stated they did Budget for this in 2007 given the concern that they would be seeing fewer dollars in revenue from the Transfer Tax.

Mr. Caiola asked if Mr. Stainthorpe's request for monthly expense information can be accommodated, and Mr. Fedorchak stated there are spread sheets which can be provided to the Board of Supervisors on the professional expenses each month.

Mr. Santarsiero agreed that it would be good to have this information. He stated last year the Township embarked on a number of initiatives – probably many more than ever before in the history of the Township – all of which were designed to improve the quality of life in Lower Makefield. He stated at the last meeting Mr. Smith recounted a lot of what they were able to accomplish in 2006. He stated when you are taking the initiative and trying to do things to better the Township, there is an associated cost. He stated despite this, they were able to approve a Budget for 2007 without a tax increase. He feels they are still running a fiscally-sound Township Office. Mr. Santarsiero stated this coming year, they have increased the Budget for the professional fees to \$125,000; and he feels they probably should have done that for the 2006 Budget because in 2005 their legal fees from Begley Carlin exceeded the Budget by \$35,000 to \$40,000. He stated there were a number of projects that Begley Carlin was working on at that time that required additional work which resulted in higher fees in 2005. He stated a large part of the legal fees associated with the fees paid in 2006 were also from Begley Carlin who the Township had kept on to complete some of the matters they had worked on previously recognizing that had the Township shifted them off of those matters immediately, there would have been inefficiencies of trying to get the new firm, Curtin & Heefner, up to speed. He noted Begley Carlin does have a higher hourly rate than Curtin & Heefner. He stated he agrees the monthly information being requested will allow the Board to keep a closer watch on the expenses. He reminded everyone that they did get value for their money and they have accomplished many things which have helped the quality of life in Lower Makefield.

Mr. Smith stated in 2005 there were a number of significant sales which resulted in additional Transfer Taxes which they did not have in 2006. Mr. Fedorchak stated this was the case in 2004 and 2005. Mrs. Godshalk stated they do not Budget for these larger items, and usually they are still over what they Budget. Mr. Santarsiero asked if they know if the Matrix property has changed hands, and Mr. Fedorchak stated he has not heard anything on this.

Mrs. Godshalk stated there was a very serious lawsuit against the Township regarding the Matrix matter; and Begley Carlin was the attorney for the Township in that matter which resulted in high legal costs to the Township. She stated the constituents need to know in what areas they are improving the quality of life; and by listing the individual professional fees, they will know where money was spent.

Mr. Fedorchak introduced Brian McCloskey, the new finance Director.

Motion to approve Warrant Lists and Payroll costs carried unanimously.

REPORT ON ACTIVITIES OF THE DISABLED PERSONS ADVISORY COUNCIL

Mr. Smith stated at each meeting of the Board of Supervisors he plans to bring in one or two Boards to let the Township know what they are doing. Present this evening was Lisa Huchler-Smith, Ann Piccinotti, and David Rogers from the Disabled Persons Advisory Council.

Mr. Rogers stated their Committee has been in existence for 2 ½ years. He stated the previous Board of Supervisors created their Committee, and the Committee made a list of what they wanted to accomplish for the Township. He stated they have developed a Mission Statement, a Website with links to disability-related Websites, and a brochure for distribution to the Township residents. He stated they have a link on the Township Website to their own Website. They have received phone calls from a number of individuals inquiring about items related to disabilities and access in the Township. He stated they review all construction plans to insure that they are in compliance with ADA and have developed a very good working relationship with Ms. Nancy Frick. They have made two presentations to the Lower Makefield Township Seniors group and have been advised of items that group would like to see the Disabled Persons Advisory Council do. He stated they participated in the Yardley Makefield Emergency Unit's 50th Anniversary Program, Community Pride Day Event, and have been represented at Harvest Days. They have conducted a survey of disabled parking space compliance within the Township and made recommendations and achieved a number of positive outcomes. Prior to that review, most of the handicap parking in the Township was not legal. He stated the Township properties themselves are all now in compliance, and Mr. Fedorchak has been very helpful in this regard. Mr. Rogers stated they have been able to assist a visually-impaired resident with safer access to the Oxford Oaks Shopping Center via an audible signal. He stated they have also served as a reference source for approximately twelve residents who have come to them for assistance. They have also worked with a number of local businesses to make disabled access easier.

Mr. Rogers stated for 2007 they want to continue to assist residents. They also want to work with the Yardley-Makefield Emergency Unit and the Police Department to develop a non-identifiable census of disabled persons in the Township. He stated when there is an emergency it would be helpful to know that there is a disabled resident in a particular home. He stated this is a slow process because many handicapped individuals do not want to be identified. He stated the Yardley-Makefield Emergency Unit has developed a card; and the Disabled Persons Advisory Council has been trying to get people to fill this out, and they have met with some success particularly with the Senior group.

Mr. Rogers stated they will also continue to work with the Zoning and Inspection Department to insure compliance with ADA issues and work with businesses which are not yet in compliance. He stated they want to expand the number of disability groups in the area so that Lower Makefield residents have access to areas surrounding Lower Makefield. They are trying to get these disability groups set up in other Townships as well. He stated they are also going to explore transportation issues in the Township. He stated transportation for the disabled is virtually non-existent – not just in Lower Makefield but in Bucks County in general. He stated the only way the disabled can get to wherever they want to go is to make prior arrangements working with SEPTA or Bucks County Transport. He stated there are a number of very specific requirements and everything is by appointment up to two weeks in advance which is not always practical. He stated they are looking into funding options for this.

Mr. Rogers stated they need continued support from the Board of Supervisors and continued exposure. He stated they did go before the Southeastern Bucks League of Municipalities where Ms. Huchler-Smith made a presentation when they were working on the Center for Independent Living. Mr. Santarsiero invited them to attend the next meeting of the Southeastern Bucks League of Municipalities to be held on January 30. He stated they could discuss the transportation issue at that meeting. He stated there are fifteen member Townships in the League.

Mr. Stainthorpe stated he has been the Liaison to the Disabled Persons Advisory Council for the past year, and they are a very dedicated group. He stated they are truly doing things that make life better in the Township.

Mr. Smith stated they can count on the Board of Supervisors for continued support. He stated the Fire Company is present this evening, and he asked if there is anything they need from them. Mr. Rogers stated they have not gotten to this point yet, but he does feel they would like to work with them. He stated they do feel it is important to consider sensitivity training; and they would like to make arrangements for this for the Police, Fire, and Township employees. He stated this would include basic sign language which could help in dealings with someone who is deaf, or how to deal with those who are visually impaired. He stated there is a program that can be arranged which is not expensive.

Mr. Caiola asked if Mr. Rogers was discussing some sort of identification to be placed at the home of someone with a disability or something in a data base. Mr. Rogers stated they are considering something that would be in a data base which would indicate in a particular home that there is someone residing there who is bed-ridden, etc. If there were a call for that address, the emergency personnel would then know in advance that there was a particular situation. Mr. Stainthorpe stated that there is concern that this could be publicized and they could be taken advantage of. Mr. Rogers stated this would not be

something that would be a published list, although he noted that there are some people who are concerned that someone could obtain this information illegally from a data base.

Mr. Smith asked that they contact the Township Manager or the Police Chief if they have any challenges this year in terms of enforcement so that they can move proactively.

2006 FIRE COMPANY REPORT AND AUTHORIZE SALE OF 1989 PIERCE DASH RESCUE EQUIPMENT

Mr. Gene Cadwallader, Mr. Glenn Chamberlain, Mr. Larry Newman, and Mr. Bubba Schlosser were present. Mr. Cadwallader stated they would like the Board to authorize the sale of the 1989 Pierce Dash rescue truck to Honey Brook Fire Company for \$120,000. Mr. Cadwallader stated they feel this is an excellent price. The truck cost \$256,000 in 1989, and they have kept the truck in excellent condition. He stated they take care of their equipment, and its shows when they go to sell.

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to authorize the sale of the truck as presented by Mr. Cadwallader.

Chief Chamberlain thanked the Board of Supervisors, Mr. Fedorchak, and Chief Coluzzi for their support. He stated in 2006 they ran 597 fire calls – 252 were alarm systems and CO alarms, 139 were dwellings and building, 138 were miscellaneous, 25 were auto extrications, 18 were brush, 16 were cover-ups (protection of another community while they were out on a major incident), and 9 automobiles. He stated they had 39 active firefighters between both Stations. They had 3,865.5 hours of in-house training, averaging 27.7 firefighters per drill. He stated they had 1,710.5 hours of specialty training which was outside the Department which when added to in-house training hours totals 5,576 hours of training for the year. He stated they had 206.5 hours of driver training on the apparatus for the firefighters. He stated the Fire Marshall's Office was very active last year and was involved with 48 fire investigations, 51 fire prevention activities, and 33 miscellaneous activities.

Chief Chamberlain stated the Truck Committee signed a Contract for a new 2007 Engine Rescue truck which will replace the 1989 Rescue truck. They purchased two new rubber boats and motors to help support water rescues and flood incidents. They replaced the self-contained breathing apparatus to the new 2007 standards. This was done with Federal Grant money totaling \$200,000. He stated they purchased and put in service a Ford F550 pick-up truck to transport firefighters to and from incidents. They also upgraded their computer system. They purchased 30 sets of turn-out gear to comply with 2007 standards which replaced gear which was 10 years old. They also ordered the 2007 Chief's car to replace the 2001 Chief's car. This will be put into service approximately May, 2007. He stated they recruited sixteen new members in 2006 to add to their 100%

volunteer staff thanks to the excellent job done by their Membership Committee. He stated they also won “Best Appearing Fire Company of Bucks County” in June which was the second year in a row they won the award.

Mr. Caiola complimented them on the large number of recruits in a single year. Chief Chamberlain stated two years ago, they formed a Retention and Recruiting Committee. They put a program together to educate the new members. He stated they also have a number of members who are not strictly firefighters as there is a significant amount of other work that needs to be done.

Mr. Smith asked if they would be able to work with the Disabled Persons Advisory Council, and Chief Chamberlain stated they will establish a liaison with them. He stated the Fire Marshall’s Office has tried to collect data similar to what they were discussing.

Mr. Smith noted the recent floods in 2006 and asked Chief Coluzzi to discuss the work done by the Fire Company. Chief Coluzzi noted the rescues conducted by the Fire Company who removed people from their homes. He stated there were over forty rescues from Lower Makefield and Yardley, and the Fire Department did an excellent job. He stated they were also able to pull from Fire Companies all over the State. Chief Chamberlain stated they are part of a Task Force which consists of sixteen other resources from Bucks, Berks, and New Jersey; and the total incident involved 64 hours during which they were involved. Mr. Smith thanked them for their work.

Mrs. Godshalk thanked the Fire Department for keeping their equipment in such good shape which enables them to get such good sale prices. All Supervisors thanked the Fire Department for the work they do for the community. Mr. Santarsiero asked that they come to the Board of Supervisors if they have any needs.

Chief Coluzzi stated they do need to work together to get an Emergency Command Vehicle for floods and other major incidents. This would cost approximately \$40,000. He stated this vehicle was seen at Community Day and was provided to Lower Makefield by the Middletown Township Fire Department. Chief Chamberlain stated the Mobile Command Center does offer them a lot of flexibility. Mr. Smith stated public safety is their number one concern.

Mr. Cadwallader stated he will be meeting tomorrow with Mr. Fedorchak on another issue of concern they need to address. Mr. Fedorchak stated he will provide the Board with an update on this after that meeting.

Mr. Fedorchak stated approximately four years ago, the Fire Department Building Committee put out to bid for the construction of a Fire Station in the north end of the Township. He stated the bids came back significantly higher than what was anticipated, and the Fire Department decided to reconsider this at a future time. He asked their

current thoughts on this project. Chief Chamberlain stated they are still addressing the issue internally. He stated their goal for the first three years of the current regime was to get their manpower numbers up, and they are now getting comfortable with the numbers. At some point in the future, they will be prepared to address the issue raised by Mr. Fedorchak. Mr. Newman stated they are continuing to look at response time and other numbers. He stated Lower Makefield is made up of numerous professionals; and since this is a volunteer organization, it is difficult to get volunteers out during the daytime as they are at work. He stated they are fortunate that the Fire Chief works in the area, and he was the number one responder last year. He stated there is a mutual-aid situation. He stated surrounding Townships have paid Fire Inspectors during the day, and this helps stem malfunctioning alarm systems or situations with careless cooking so that it is not necessary to put all the apparatus on the road.

APPROVE RESOLUTION NO. 2038 – SMALL GAMES OF CHANCE WITHIN THE TOWNSHIP

Mr. Truelove stated there has been discussion over the years that in order to expand the fundraising activities of some organizations in the Township, they would like to be permitted, upon approval from the Treasurer of Bucks County as required by law, to have small games of chance opportunities. If the Resolution is approved, they would then submit to the Board of Elections in Bucks County a Referendum to be voted on by the voters in Lower Makefield at the May 15 Primary. If approved, rather than an organization having to ask for a special license on an Ad Hoc basis, organizations that qualify could apply to the Treasurer's Office and obtain a license for these different activities.

Mr. Stainthorpe stated there are two ways to put this on the Ballot – either by Petition signatures which is time-consuming or by having the Board of Supervisors approve a Resolution. He stated the Resolution will not approve small games of chance, but will simply put the question on the Ballot at the May Primary. He stated this can only be done on odd number Election years and only in the Primary, so there is a limited window of time. He stated there are a number of organizations who wish to take advantage of this; and if they miss this window, it would be two years before they could consider it again.

Mrs. Godshalk stated they did have this before and it lost overwhelmingly. She asked if it will be limited to charitable, non-profit, and educational organizations; and Mr. Truelove stated this is correct. He noted the Statute does limit the organizations and part of the process to apply for a License with the County Treasurer's Office is to qualify as that type of organization.

Mr. Stainthorpe moved and Mr. Santarsiero seconded to approve Resolution No. 2038.

Mr. Zachary Rubin, 1661 Covington Road, stated he understands that currently qualifying organizations have to apply every time they want to have a game of chance; and this Ordinance would indicate that they could have a permanent license.

Mr. Truelove stated he would prefer the term “sustaining” rather than “permanent,” as long as they otherwise qualify. Mr. Rubin asked why this has to go to Referendum; and Mr. Stainthorpe stated it is required by law that the public vote on it. Mr. Truelove stated there is a list of games that would qualify under the Statute.

Mr. Matt Maloney, 557 Kings Road, stated if this previously lost badly, he feels it was due to a public relations idea that it was bringing gambling to Lower Makefield; and if this is something they feel is valuable, it would be in their best interest to take a proactive stance in the media advising that the various non-profit organizations could raise money in this way. Mr. Stainthorpe agreed, and stated he feels the organizations that would benefit from this and asked that this be done, should get behind it. He stated there is no real material benefit to the Township in terms of taxes or revenues, etc; but rather it is benefiting the organizations by giving them a fund-raising tool. Mr. Santarsiero stated they could discuss this in an upcoming Newsletter and counteract any misinformation on this subject; and this together with the local groups who have an interest in having these games, should be enough to prevail on the voters when they vote in May.

Mr. Truelove stated Newtown Borough and Wrightstown Township have passed a similar Resolution.

Mr. Caiola stated he feels they need to define “games of chance” so that the residents do not get the wrong idea. He stated they need to insure that the residents understand that it is for fundraising purposes for non-profit organizations.

Mrs. Godshalk stated she feels those who belong to the organizations will publicize this. While she is in favor of something being put in the Township Newsletter, she does not feel it is incumbent on the Township to be the major publicity vehicle for this.

Motion carried unanimously.

SCHEDULE TOWN MEETING AND SPECIAL MEETING OF BOARD OF SUPERVISORS TO DISCUSS PARK AND RECREATION ISSUES

Mr. Smith stated two weeks ago, he brought up the idea of scheduling a Town Meeting which would be different from a regular Board of Supervisors meeting. He stated this Town Meeting would be more informal, and they would invite the public to come so the Board could get the pulse of the Township. He stated this would allow the public to make their thoughts known apart from a limited Public Comment session. If necessary, they could schedule additional such meetings throughout the year.

Mr. Stainthorpe stated he is generally not in favor of Special Meetings. He noted the number of meetings each of the Supervisors must already attend each month. He stated he is willing to try this but questions the real benefit since the Board already meets publicly twice a month. He stated there has never really been a limit on Public Comment; and he feels those who have something to say, typically show up and speak at the regular meeting. He stated he would be willing to try it, although in general he feels they should try to conduct their business at the regularly-scheduled meetings.

Mrs. Godshalk stated she would suggest that they have a one of the regularly-scheduled Supervisors' meetings advertised as a Town Meeting. Mr. Caiola stated he would prefer this as well if there is a slow period during the year. He stated over the last year, the Board has added a number of Committees, and the Board members already have to attend a number of meetings. He suggested that they do it during one of their regular meetings. He also stated they may want to consider having it outside of the Municipal Building – possibly at Elm Lowne.

Mr. Santarsiero stated he feels it is worth trying to see if a different format would put more people at ease and make them more likely to participate in the process. He stated he would agree that if they could do it within the context of a regular meeting, he would prefer that.

Mrs. Godshalk moved, Mr. Caiola seconded and it was unanimously carried to schedule a Town Meeting in lieu of a Board of Supervisors meeting to be held the first meeting in March.

With regard to the Special Meeting to discuss Park and Recreation issues, Mr. Stainthorpe asked if it would be possible to devote the bulk of the Agenda of a regularly-scheduled Board of Supervisors meeting to Park and Recreation. Mr. Smith stated he feels they need to get the user groups to come out and discuss their needs with the Board of Supervisors. He would also like to hear from the Park & Recreation Board what they plan for 2007. He stated he would like to see if it is possible to move ahead with some of the projects which have been discussed for years.

Mrs. Godshalk stated she feels this would be good to do during the Town Meeting. She stated the Park & Recreation Board and those from the community could be present. She stated since the Park & Recreation Board meetings are not televised, the community could hear about the issues at the Town Meeting. Mr. Caiola stated he agrees and feels since they are doing this early in the year, they will have a better feel of the needs.

Mr. Smith stated he would be willing to try to do this during a regular Board of Supervisors meeting and suggested that the first meeting in April be a limited-Agenda meeting, and they will then consider Park & Rec issues for the majority of the meeting.

Mrs. Godshalk stated she feels the Town Meeting would be a better time. Mr. Smith stated he feels this deserves its own time since it is a big issue and relates to the quality of life. He stated they could mention it as well at the Town Meeting.

Mr. Santarsiero stated he does not feel there are that many special meetings, and this particular issue is very important to the Township. He stated a number of recreation facilities have been discussed for many years, and for a number of reasons have not been actively pursued. He stated he feels they need to get the user groups out along with the Park & Recreation Board to get their ideas. He stated they had a special meeting last year to discuss Edgewood Village, and it did take a significant amount of time. He stated he does not feel they would be able to push enough items off the Agenda the first meeting in April to consider this at the same time.

Ms. Lisa Huchler-Smith, 1058 N. Kimbles Road, stated there is a Park & Recreation Board and asked if they are involved in these discussions. Mr. Smith stated they are. Mr. Smith noted the Park & Recreation Board meets once a month, and over the years they have made numerous recommendations and while some of them were addressed, some of them were tabled. He stated this meeting will be with the user groups and the Park & Recreation Board.

Ms. Karen Friedman, 1373 Pepperbush Court, asked if it would benefit the Board to attend the next Park & Recreation Board since it is an established meeting which interested residents already attend. Mr. Smith stated although there is a Supervisor Liaison to the Park & Recreation Board who attends their meeting each month, there are certain issues that all the Board should hear. He stated they also want to hear from all the user groups and the residents in general. He stated last year they had a special meeting on Edgewood Village and he wanted to have a special meeting set aside to discuss Park and Recreation Issues this year.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, stated she agrees that there is the need for a Special Meeting provided all the user groups are present. Mr. Smith stated it is important to know what the residents want as well.

Mr. Stainthorpe stated he feels those who live near the Parks should also be involved. He noted the changes made at Macclesfield Park with regard to the lights which made the situation better for the Park and the adjacent residents because the Rivergate residents made their feelings known.

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to hold a Special Meeting at 7:30 p.m. on February 27, 2007.

APPROVE STREET SWEEPING CONTRACT WITH PENNDOT

Mr. Fedorchak stated this is a one-year Contract with PennDOT. This is for nine State roads totaling twenty-three miles for which PennDOT will pay \$18,086 to the Township for the year. Mr. Fedorchak stated they have done this for the last twelve years. Last year the amount received was \$16,500.

Mr. Stainthorpe moved, Mr. Santarsiero seconded and it was unanimously carried to approve the Street Sweeping Contract with PennDOT in the amount of \$18,086.

APPROVE COMMITMENT TO THE 2007-2009 REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

Mr. Stainthorpe moved to approve the commitment to the 2007-2009 Regional Household Hazardous Waste Collection Program.

Mr. Stainthorpe noted this program is a great success, and the one that was held in Lower Makefield had more public participation than any other location. He added that the Lower Makefield residents participate more than residents in other Townships. Mr. Santarsiero stated the Yardley and Lower Makefield Environmental Advisory Councils do a great job of staffing this at the Office Park on Township Line Road.

Mr. Caiola seconded, and the Motion carried unanimously.

APPROVAL OF EXTENSIONS TO FIELDSTONE, NO. 496-N, HARRIS TRACT, EDGEWOOD ROAD; FIELDSTONE NO. 549, HARRIS TRACT, EDGEWOOD ROAD; BROOKSHIRE ESTATES (FLOWERS-MADANY TRACT, WASHINGTON CROSSING ROAD; THE GATHERINGS, DOBRY ROAD

Mrs. Godshalk moved, Mr. Stainthorpe seconded and it was unanimously carried to approve an Extension to Fieldstone No. 496-N, Harris Tract, Edgewood Road to 4/20/07.

Mrs. Godshalk moved, Mr. Stainthorpe seconded and it was unanimously carried to approve an Extension to Fieldstone No. 549, Harris Tract, Edgewood Road to 4/20/07.

Mrs. Godshalk moved, Mr. Caiola seconded and it was unanimously carried to approve an Extension to Brookshire Estates (Flowers-Madany Tract), Washington Crossing Road to 4/19/07.

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve an Extension to The Gatherings, Beazer Homes, Dobry Road Project to 5/2/07.

ZONING HEARING BOARD MATTERS

With regard to the Rafal Korzec, 1632A Bluebird Drive, Variance request to construct a deck resulting in encroachment to rear yard setback, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Garden State Sunrooms Variance request to impervious surface requirements to construct an addition at 26 Maplevale Drive, it was agreed to leave this matter to the Zoning Hearing Board.

With regard to the Paul and Nancy Koestler, 908 Greenway Avenue, Variance request to impervious surface requirements to construct an addition, it was agreed to leave this matter to the Zoning Hearing Board.

With regard to the Mark and Christine Silverman, 1064 Winder Drive, Variance request to install a fence, it was agreed to have the Solicitor participate for the purpose of insuring that the fence will meet the requirement that it can be moved if necessary and that the Township have access to the easement as has been indicated as part of the original Plans for the development.

While not on the Agenda, Mr. Majewski noted the O'Rourke matter which will be considered by the Zoning Hearing Board at their next meeting. Mr. Truelove noted this tract is located in the Northern part of the Township. Mr. Santarsiero stated since the Board does not have the information on this, he suggested that they be provided the information in their next packet; and they could then decide this by e-mail.

Ms. Virginia Torbert stated the Garden State Sunroom and Koestler properties are located in the Delaware Valley Watershed. She stated the Board is reviewing all the Ordinances this year; and she feels generally as a matter of policy, they should be looking at the policy as far as any development in the floodplain and the watershed. She would like the Board to take a more proactive stance. Mr. Stainthorpe stated in both of these instances there were very modest changes in impervious surface. He stated normally if there is a serious change, the Board does participate. He stated at 908 Greenway, while it is an addition, it does not change the existing impervious surface at all. Mr. Smith stated the Board is very proactive in participating whenever there is an issue. Ms. Torbert stated as part of the Ordinance review, she would like to see them take a more proactive stance as far as the watershed and the floodplain because of the flooding problems.

SUPERVISORS' REPORTS

Mr. Smith stated the Regional Traffic Task Force held a public meeting this evening at the Bucks County Community College. They will also have a Special Meeting at Lower Makefield on Monday, January 29 at 7:30 p.m. Mr. Smith stated the Special Events Committee will come to the Board of Supervisors meeting at their first meeting in February to discuss what they have planned for the year.

Mr. Caiola stated the Magnet Site meeting was held at Yardley Borough. He stated a small portion of that site is in Lower Makefield. He stated currently they are at a standstill. There has been discussion on the dams, and the environmental impact of removing or maintaining the dams.

Mr. Santarsiero noted the information received by the Board from the Environmental Advisory Council on their accomplishments and their goals for 2007. The Citizens Traffic Commission postponed their regular meeting date which would have been on Martin Luther King Day and moved it to Monday, January 22. Mr. Smith asked that Mr. Santarsiero advise the Park & Recreation Board about the Special Meeting date. Mr. Smith stated he understands the Citizens Traffic Commission will be coming out with a report in the next few months. Mr. Santarsiero stated starting in March they will be holding Hearings for different Zones in the Township. They will do two to three Zones per meeting in March, April, and May on their regular meeting dates. They will ask those who live in those Zones to come out and speak about the issues they see in those Zones that they would like the Commission to address all toward the end of the Commission then coming before the Board of Supervisors sometime in early summer with a listing of sites that need to be addressed and ideas as to how this might happen. The Board of Supervisors would then consider this and consider funding.

Mrs. Godshalk stated the Planning Commission discussed Edgewood Village for approximately three hours at their last meeting, but the residents had not been provided a copy of the proposed Ordinance and she felt they should have been provided this. It was indicated at the meeting, that once the Ordinance is advertised, the public could get it, but she feels that those who live there should have a copy of the proposed Ordinance. She stated most of them left the meeting prior to the extensive discussion. She stated there will be many other meetings to review this. She stated the Historic Commission met yesterday but did not have a quorum. They did informally discuss Edgewood Village. Mrs. Godshalk stated the Garden of Reflection will meet tomorrow night with the Park & Recreation Board on some minor changes they want to make at Memorial Park since the Plan they have on the Park design was made before the Memorial came in.

Mr. Stainthorpe stated the Cable TV Advisory Board met for only fifteen minutes at their last meeting. He stated since they approved the Franchise Agreement, Comcast has chosen not to attend the Cable TV Advisory Board meetings. Mr. Stainthorpe stated he

does not feel this is acceptable. He asked Mr. Fedorchak to contact the Comcast Rep and express that they are expected to attend the Cable TV Advisory Board meetings. He stated if he is unresponsive, they should contact Comcast and discuss this at a Public Meeting.

OTHER BUSINESS

Mr. Smith asked for an update on preventive flood measures. Mr. Majewski stated he has no update at this time, although he stated he does owe Mr. Burgess some answers to questions they had; and he will get back to them by the end of the week. Mr. Fedorchak stated as promised, the Township has submitted three Grant Applications to PEMA – the first for acquiring two properties. There were nine property owners who expressed interest in the elevation program and the third component involved structural items such as floodwalls. All of the Applications have been received by PEMA and are being processed.

Mr. Smith stated he received some calls from people indicating they would like to know when the Township meetings are being re-run and if those times could be listed on the Cable Channel so it would be known by those interested in watching it. Mr. Fedorchak stated the re-broadcasts are every Monday and Tuesday night and those times are posted.

Mr. Smith stated one week ago there was an incident at the Satterthwaite property, and the barn roof “imploded.” Mr. Fedorchak stated in late September, Township employee, Bob Jones advised him that there was a wooden beam that had fallen from the ceiling, and Mr. Jones expressed his concern. Mr. Jones indicated that he felt there could be further damage, and Mr. Fedorchak asked that everything in the barn be removed and that the facility be secured; and Mr. Jones did this. Mr. Fedorchak then asked Mr. Majewski to send out one of the Schoor DePalma structural engineers to the site to look at it and advise them what could be done. Mr. Majewski had started this process, but less than two weeks after this, there was a further collapse of the barn; and by the time the structural engineer arrived at the scene, the collapse was to the extent that was seen recently. When asked if there was a quick, cheap fix, Schoor DePalma indicated they did not believe so. Mr. Fedorchak stated he then contacted Jeff Marshall, and he is in the process of looking into this. He has already had a barn expert on the site, and he will also be contacting other barn experts to look at it and then come back to the Board with a recommendation.

Mr. Smith asked about the barn at Elm Lowne, and Mr. Fedorchak stated he did ask that they check that barn as well. Mr. Fedorchak noted the section closest to the road does have some issues. He stated that barn has been secured for the last three to four years, and they do not allow the public into the barn. Mrs. Godshalk stated for eight years, they have owned Elm Lowne, and from the beginning the public was not allowed in the barn

because of the situation. She stated they have been trying to get Grants to utilize the barn.

Mrs. Godshalk stated with respect to the Satterthwaite barn, it has been used by the Township for storing vehicles; and they would have to build something else in which to store them. She stated she would not want to see the barn lost. She feels it could be shored up. She stated she does not feel they should be discussing a “cheap fix” as it is a valuable barn which needs to be stabilized and re-roofed. She stated two weeks after they found out that the barn was not stable, they had an offer from the Amish to buy it. She stated she does not want to see another barn lost in the Township, particularly this barn which serves the community in the way of housing Township machinery and eventually they may find more community-wide use for the barn.

Mr. Stainthorpe stated after touring the property on Saturday after the collapse, he felt it was very overwhelming when you consider the amount of money it would take to re-build the barn and bring the Satterthwaite house up to Code. He stated the Township needs to make sound business decisions about what to do with these buildings, and they need to stop approaching historical preservation strictly from an emotional point of view. He stated he does not want to see the structures disappear either, but noted the other needs in the Township including Park & Rec, traffic issues, fire trucks to purchase, etc. and they need to prioritize their needs. He stated they must balance the barn with their other priorities. He stated they still need to work with the Heritage Conservancy.

Mr. Caiola stated these are the Township assets, and they need to seriously consider what they are going to do with them. He stated they must also consider the maintenance costs. He stated they need to prioritize the needs of the Township.

Mr. Santarsiero stated there are very few assets that the Township owns that he feels are as valuable to the people of the Township from a historical perspective and from the perspective of future potential use as is the Patterson Farm. He stated he does understand the concern with spending money, and they need to make sure before they do anything of a lasting or substantial nature what it is they want to see happen at Patterson Farm in the long run which is why they set up the Stakeholders Committee to work with Jeff Marshall to come up with a Master Plan. He stated they need to recognize the magnificence of the structures on the Patterson Farm property, particularly the two barns. He stated there are many things that ultimately could be done with those barns. He stated he recognizes that there are fiscal constraints, but he feels they should make it a priority to save the buildings as it is an important part of the Township’s heritage. He stated in the short-term they need to secure the barn to make sure it does not fall down, and have some kind of covering so that there is not further damage to the structure. He stated they need to let the Stakeholders Committee do their work and then move forward at a quick pace.

Mr. Smith stated he did visit the property last weekend and was disturbed by the condition of the Satterthwaite House. He stated the condition inside is abysmal. He stated the historic fireplaces were bricked up. He stated to leave it in the condition it is would be very disturbing, and he feels they need to address this situation.

Mrs. Godshalk stated there was a tenant at the Satterthwaite House who the Township inherited with the purchase. She stated a number of years ago, the Board of Supervisors decided to subdivide out the Satterthwaite House, and they did have two people interested in purchasing it and a majority of the Board of Supervisors decided to hold off on this until they got a report from the Heritage Conservancy. She stated meanwhile the house has deteriorated further. She stated one of the individuals interested in purchasing the property lives in the area and has done a wonderful job restoring their own home. She stated the Township would not really have much use for the house, although they could revise the Plan they had which included the barn, to just allow a little more property along the frontage of the property to go with the house, put on Deed Restrictions, and make sure that the individual who bids on it, has the funds to do a restoration project.

Mr. Smith stated he was advised that a complete historic restoration for the house could cost \$400,000 to put it in reasonable condition. Mrs. Godshalk stated one of the individuals she is speaking about has restored a house that was in worse shape than this house, and it is now a showplace. She stated this is a way to bring the Satterthwaite House back. She noted it is the only remaining frame farmhouse in the Township.

Mr. Santarsiero stated he feels they all have the same goal, although they have different ideas as to how to get there. He stated there was a proposal several years ago to subdivide the Satterthwaite House and the associated buildings and sell them off, and he was opposed to this. He stated the Board of Supervisors decided, due to public opposition at the meeting, not to pursue this; and a few months later, Mr. Fedorchak suggested that they retain the Heritage Conservancy. He stated the Heritage Conservancy provided their report approximately one year ago, and in that report they discussed the Patterson Farm and suggested that it is an asset that is worth the Township retaining. He noted the Elm Lowne house and questioned why there would be a willingness to sell the Satterthwaite House and not Elm Lowne. He stated the Heritage Conservancy did not recommend the sale of the Patterson Farm, but did discuss the possible sale of Elm Lowne pursuant to easements and being able to maintain the structure in private hands. He added he is not advocating either of these at this time; but if they are going to consider a sale, he feels they should be fair and not single out the Patterson Farm as a place where they can sell the structures so that they can be preserved as there are a number of other historical structures which could also easily be sold although this may not be the right idea for the Township. He stated there is a public value to the Township owning these structures and potentially in the future doing something with them that invites the public in to use or see them.

Mr. Caiola stated that while he agrees, they must look at the costs and be aggressive in seeking funds to do this outside of the standard tax base.

Mr. Stainthorpe stated he personally feels they need to de-mystify the Patterson Farm; and while he feels they are wonderful structures, they need to be looked at in the same context as other Township-owned structures. He stated no one is advocating selling the Farm, but he feels they need to take a business approach when they consider any of the structures. He stated any of the structures could be sold to the public; and if they were properly preserved, they still contribute to the heritage of the Township. He stated he is in favor of public/private partnerships. He feels everything should be considered so that the taxpayers get the best value. He stated with all of these properties, they need to consider what they are using them for with taxpayer's money. He stated if they can put it in private hands, and it is still preserved, they can still see it and enjoy it but it is not costing the taxpayers money.

Mrs. Godshalk stated she is only discussing the Satterthwaite House and not the other buildings. She stated this house is very close to the road, and it could be a private home with Deed Restrictions. She stated at the current time, the Township is participating in demolition by neglect.

Mr. Smith asked when the Stakeholders Committee will be submitting their report; and Mr. Santarsiero stated he feels it is by June, and this is why it is important that the building be secured.

Ms. Virginia Torbert stated the Stakeholders first meeting is January 25 at 7:00 p.m. She stated if they wait until the Stakeholders issue a report, the barn will be gone. She stated the barn needs a tarp and scaffolding. She stated the Township has owned the property for ten years, and it has been suffering from benign neglect for ten years.

Mr. Fedorchak stated he asked Mr. Marshall to determine what could be done immediately, and he is discussing those concerns with barn experts to see what they would recommend. He stated he feels they will move with due deliberate speed. He stated a local contractor is also going to take a look at it. Ms. Torbert asked how quickly they could move, and would they need Board of Supervisors approval before they could proceed; and Mr. Fedorchak stated he does not know since he does not know what would be suggested. Mr. Smith stated he would be in favor of any reasonable emergency repairs. Mr. Stainthorpe stated he feels it would depend on what it would cost. He stated he also does not want to take steps that would not really protect it. Mr. Smith stated he does not feel they can wait until the next Board of Supervisors meeting to make a decision. Mr. Santarsiero asked that Mr. Fedorchak get back to the Board of Supervisors by Monday with a plan in place as to what will happen; and if need be, they could have a special meeting to quickly vote on what needs to be done.

January 17, 2007

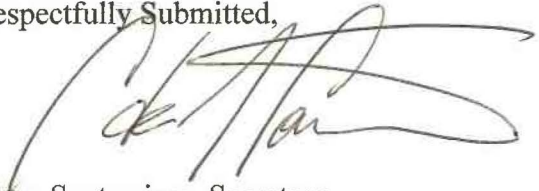
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APPOINTMENTS

Mr. Caiola moved, Mr. Santarsiero seconded and it was unanimously carried to re-appoint Jo Norum and Jennifer Stark to the Elm Lowne Committee, re-appoint Helen Bosley to the Golf Committee, and to appoint Kevin Trieber to the Emergency Management Committee.

There being no further business, Mr. Caiola moved, Mr. Stainthorpe seconded and it was unanimously carried to adjourn the meeting at 9:55 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Steve Santarsiero', written over the text 'Respectfully Submitted,'.

Steve Santarsiero, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS
Steven Santarsiero, Chairman
Ron Smith, Vice-Chairman
Greg Caiola, Secretary/Treasurer
Grace M. Parkinson Godshalk, Supervisor
Pete Stainthorpe, Supervisor

**JANUARY 2007 WARRANT LISTS AND
DECEMBER 2006 PAYROLL COSTS FOR APPROVAL
JANUARY 17, 2007 BOARD OF SUPERVISORS MEETING**

1/2/2007 Warrant List	\$ 907,359.43	
1/07 Manual Checks	250.00	
1/15/2007 Warrant List	591,913.12	
Total Warrants & Prepays		1,499,522.55
<u>PAYROLL COSTS:</u>		
DECEMBER 2006 Payroll	562,900.55	
12/06 Payroll Taxes, etc.	170,623.95	
Total Payroll Costs		733,524.50
TOTAL TO BE APPROVED		\$ <u>2,233,047.05</u>

