

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - AUGUST 1, 2007

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on August 1, 2007. Chairman Smith called the meeting to order at 7:30 p.m. Mr. Santarsiero called the roll.

Those present:

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

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

Mr. Smith introduced Ms. Rachel Koretsky and Ms. Rebecca Friedman of "It Could Be Me," a teenaged service organization involved in raising awareness and funds for local and international crises. They reviewed work they have done in the past and noted particularly their work for Darfur amounting to \$4,000 in funds raised to date. Information on their organization is available at www.itcouldbeme.org or by mail at 668 Stony Hill Road, P.O. Box 209, Yardley, PA 19067. The Board of Supervisors commended them on the work they are doing. On behalf of the Township for their humanitarian services, Mr. Smith presented Ms. Koretsky and Ms. Friedman with Certificates. Mrs. Godshalk suggested that their information be put on the Township Website and Township TV Channel.

PUBLIC COMMENT

Mr. Jim Bray, 12 Terracedale Road and Chairman of the EAC, reminded the Board and the Township residents about Lower Makefield's commitment to alternative energy for which they have pledged to sign up 200 people by the end of the year. He stated if they reach this goal, the Township will receive a \$10,000 solar panel system or \$10,000 toward a larger system. He stated to date 80 residents have signed up. He stated they will be soliciting people at the weekly farmers' market and will also have a booth at Community Pride Day. There is information on the Township Website and literature in the hallway at the Township Building.

Mr. John Beherken, 312 Arborlea Avenue, stated on 3/7, the issue of selling the sewer system was raised, and he recalled that nothing would be done until the results came back from the consultant. He asked if this has come back yet, and it was noted that it has not. Mr. Smith stated they will have at least two meetings once the study is received before any decision is made.

Ms. Marielle Wolf, 22 Houston Road and a volunteer for the Special Events Committee, reminded everyone that Community Pride Day will be held on Labor Day. She reviewed some of the events to take place beginning with a 5K and Fun Run. Ms. Wolf stated they are still looking for volunteers to help that day. Mr. Smith stated they will have fireworks, celebrity guests, and food vendors. All Township user groups are invited to set up booths. He stated they need volunteers for this event as well as members to the Special Events Committee. Mr. Smith stated there will be activities all day for all ages. Ms. Wolf noted they will have a “Wheel Your Way Into Lower Makefield” parade with information on this on the Website as well. Prizes will be awarded. Ms. Wolf also noted the upcoming November 11 Veterans’ Day Event. Information on this event is also on the Township Website.

Mr. Patrick Frain, 16 Delaware Rim, asked if the deer study is available, and it was noted it is on the Website. Mr. Frain stated the deer problem over the last two years has had a devastating impact on his landscaping. Mr. Smith stated on September 19 the matter will be on the Agenda for public comment. He noted the price estimates in the consultant’s plan were very high, and this needs to be considered. He stated they will discuss all options before making a decision. Mr. Smith asked if there has been damage at the Golf Course, and Mr. Stainthorpe stated there has not because the golf course is mostly grass, and the deer eat plants rather than grass.

APPROVAL OF MINUTES

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve the Minutes of 7/18/07 as corrected.

DISCUSSION AND DEFERMENT OF ORDINANCE NO. 373 ESTABLISHING AN AMATEUR RADIO OVERLAY DISTRICT AND STANDARDS FOR RADIO TOWERS IN CERTAIN AREAS

Mr. Truelove stated this matter is being deferred at the request of the Planning Commission in order to give them the opportunity to get input from the Police Department as well as from the amateur radio enthusiasts.

Mrs. Godshalk stated at the Planning Commission meeting the members were concerned that there was no one present to represent why they wanted this Amateur Radio Ordinance. Mr. Truelove stated he did discuss this with one of the proponents who indicated they would be present at the Planning Commission when this matter is again discussed. Mrs. Godshalk stated they should also get a report from the Police Department. Mr. Smith stated he understands the Planning Commission also wanted information on the proposed height of the towers which could be up to 65 feet.

APPROVE REQUEST FOR DEDICATION OF THE WOODS AT MAKEFIELD

Ms. Gena Rafielli, attorney, was present. She stated this is a seventeen lot Subdivision, and they are seeking Dedication of the public improvements. The project is north of Big Oak Road, off Stony Hill Road, with access off Long Meadow Lane and an emergency access off Stony Hill Road. She stated they feel they have satisfied all requirements of the Township engineer and the Township sewer engineer; and they have received letters from them that it is appropriate to accept Dedication. Ms. Rafielli stated one of the requirements is that all lots in the Subdivision have a Final Certificate of Occupancy. She stated Heritage was responsible for construction of the site improvements. Ryan Homes built sixteen of the seventeen homes; and there was one lot which was retained by the owner who sold the parcel which was built by an individual; and that lot, Lot #17, still has only a Temporary Certificate of Occupancy. She stated Heritage has tried to contact the owner both in person and through mailings, but has been unsuccessful. They have looked at Township records to see what the remaining items were, and they do not feel that any of them refer to the improvements that Heritage, under the Development Agreement, was required to install. All other lots have Final Certificates of Occupancy.

Mr. Santarsiero asked about the detention basin noting there is still water in the basin and he does not feel the plant growth is where it should be. Mr. Majewski stated the basin was designed as a wetlands style basin, designed to have 6" of water even during dry times; and the developer has planted wetlands vegetation throughout the basin. The wetlands expert's opinion is that it is a functioning wetlands and has the right variety of vegetation and aquatic life such that mosquitoes should not be an issue. Mr. Santarsiero stated he lives 200 yards from this basin, and mosquitoes are a problem. Mr. Majewski stated there was some sedimentation at the inlet and outlet of the basin which caused some ponding water which had mosquito larvae in it; but this matter has since been resolved. Mr. Fedorchak asked if the Township would be required to annually larvaecide the detention facility, and Mr. Majewski stated he did not believe so.

Mrs. Godshalk stated even though the owner of Lot #17 built the home himself, he would still be under the Development Agreement; and she asked if the Township could issue a Final Certificate of Occupancy. She stated she is concerned that if they approve

Dedication and give them back their money, the owner of Lot #17 could then come in at a future time and indicate there is a problem, the Township would be responsible for this. Ms. Rafaelli stated there would still be the maintenance period. She stated the owner has received notice. She also noted that there has been a review of the items on the TCO, and those items were not related to the public improvements.

Mr. Truelove agreed. He stated the individual did get notice of this evening's meeting, and has not been cooperative. He stated he does not feel there is a legal remedy to hold over the developer since it involves a property owner whose property is not part of the public improvements. He stated there is an 18-month Maintenance Bond which could provide some cushion. Mrs. Godshalk questioned what would happen if the home were to be put up for sale, and Mr. Truelove he feels this would be the responsibility of the seller, and not the Township or the developer.

Mr. Santarsiero asked Mr. Majewski the last time he looked at the basin, and Mr. Majewski stated he was there on Thursday. Mr. Santarsiero asked Mr. Majewski's view in terms of what they were to plant and what the Township felt would be in the basin; and Mr. Majewski stated he feels it is as it was designed.

Mr. Stainthorpe moved and Mr. Caiola seconded to accept Dedication of the Woods at Makefield. There was no public comment. Motion carried with Mr. Santarsiero opposed.

DISCUSSION OF ORDINANCE NO. 372 AMENDING THE ZONING ORDINANCE TO ESTABLISH A TRADITIONAL NEIGHBORHOOD DEVELOPMENT OVERLAY DISTRICT IN EDGEWOOD VILLAGE

Mr. Carter VanDyke was present. He stated for five years they have been consultants to the Historic Commission. He stated this is the ninth draft of the Ordinance and has been reviewed numerous times by the Historic Commission, Planning Commission, the Environmental Advisory Council, and the Economic Development Committee.

Mr. VanDyke made a power point presentation reviewing the accomplishments over the years including updating the Master Plan, hiring of March Associates to prepare the initial study for the re-vitalization of Edgewood Village, Ordinance amendments, design guidelines, inventory of the Historic District, and creation of new forms. He reviewed the goals for Edgewood Village including historic preservation, appropriate infill development, mixed-use development, streetscape improvements, traffic calming, and creating a walkable community that is a destination or downtown for Lower Makefield. He stated the benefits include increased property values, opportunities to obtain Grants for implementation, employment opportunities as businesses are developed, availability of public water and sewer, stormwater management, and ratables for the Township.

Mr. VanDyke showed pictures of some of the existing conditions. He stated they are proposing gateway signs and possible locations for such signs were shown. They are proposing streetscape improvements and traffic calming.

Pictures of the proposed Messick tract were shown with proposed infill development structures including the replication of a structure which was taken down. Pictures of the proposed Troilo/Flowers Tract were shown of a mixed-use development including retail, banks, restaurants, and various types of housing.

Mr. VanDyke stated the intent of the Ordinance is to provide for neighborhoods with a diversity of uses and dwelling types. It will promote walkability and will encourage new development. He stated they intend to reflect the character of Edgewood. Mr. VanDyke stated they will create economic incentives to encourage further preservation and renovation of the existing structures. The Ordinance also provides design guidelines which will encourage appropriate infill development that will not harm the historic character.

A map of the proposed Overlay District was shown. Uses permitted in the District are single-family detached, retail, restaurants, inns, apartments over Commercial uses, two-family homes, townhouses, multi-family, manor house units, Civic buildings, signs, and some accessory uses. He stated they want to control drive-in windows; and these would only be permitted for banks by Conditional Use. Lot area and design standards are included which are in keeping with the existing character of the Village.

Supplemental regulations were noted, one of which requires that while infill and new development are permitted, you cannot take down historic structures. He stated the Ordinance is flexible in this regard recognizing that if a historic structure is structurally unsound, with approval of the Historic Commission and the Board of Supervisors it can be replicated or relocated if necessary.

Mr. VanDyke stated key design elements are included and there are detailed design standards. He stated there are also detailed design standards for stormwater management and they require on-site stormwater management for ten year storms with underground systems using Best Management Practices, and handling larger storms in a regional system which would benefit all the properties in the District. He stated properties would be reviewed by HARB if they face the major highways as well as infill buildings not facing the State highway. HARB would also maintain jurisdiction if any historic building is relocated.

Mr. Truelove stated it is not appropriate to take action on this Ordinance this evening. He stated three weeks ago the Township received information from the Bucks County Planning Commission that they had given an official letter but had not yet voted on this.

Mrs. Godshalk stated they could open the matter up this evening for the Public Hearing and then bring it forward when they hear from Bucks County since she is aware that there are people present this evening who may wish to speak on this matter. Mrs. Godshalk stated she also feels legally they must state it has been advertised and is open for discussion. Mr. Truelove stated the matter has been properly advertised and it is appropriate for discussion this evening. He stated if substantive changes are recommended by the Bucks County Planning Commission, they could re-advertise if necessary. Mr. Truelove stated he feels Bucks County Planning Commission met today so that the Township should receive something by early next week.

Mr. Stainthorpe asked about the manor house concept. Mr. VanDyke stated it is four units with each one on a corner and the whole building being designed as if it is a large, single-family house. Each façade looks like a front. He stated this provides a different scale building on the street if it is used.

Mr. Stainthorpe noted the square footage laid out for apartments and asked if a marketing survey was done on these as they seem very small. Mr. VanDyke stated they were larger in the original draft, and it was suggested by the Historic Commission and the Planning Commission to make these smaller to encourage more of these types of units.

Mr. Santarsiero stated from a marketing standpoint he questions if they will really be encouraging more of these units as he questions whether people will be interested in moving into such a small space. Mr. VanDyke stated this would be the minimum, and the marketplace will establish what is appropriate.

Mr. Stainthorpe asked about the parking standards. Mr. VanDyke stated this was developed in concert with the Township's Traffic engineer based upon the Institute of Traffic Engineers standards. Mr. VanDyke noted the calculations in the report and people from his office did check these against the Troilo site, and it does work.

Mr. Stainthorpe asked if the potential developers have looked at the proposed Ordinance, and Mr. VanDyke state the two main developers – Messick and Troilo – have been active participants working with the Historic Commission and Planning Commission and have reviewed each of the drafts and provided input. He stated there has also been participation by some of the neighbors in helping them design the limits of the Overlay District. Mr. Stainthorpe stated he felt a lot of the Ordinance was somewhat vague, offering a wide range of choices; and he feels if these are only suggestions to a developer, he questions what will occur.

Mrs. Godshalk stated the uniqueness and historical value of Edgewood Village was discovered twenty-eight years ago, and at that time she asked the Township to set up legislation for a Historic Commission which was set out to register the homes in Edgewood Village which were found to be very valuable. She stated Edgewood Village was placed on the National Register of Historic Places because of the hard work of the

people on the newly-established Historic Commission. She stated Edgewood Village exists today is because the Zoning at the time when they did the registration was all Commercial and Edgewood Village would have disappeared into a strip shopping center under that Zoning. She stated they put in Historic/Commercial Zoning at that time which allowed certain things to take place. Other than the homes which were occupied by residents, the other buildings were owned by investors. She stated the largest open tract of land was owned by Mr. and Mrs. Flowers who wanted to keep it open with the two homes they owned on ten acres of land. She stated eventually Mrs. Flowers wanted to sell her land to a person that could bring the Village the credit it deserved and to protect the historic value of the homes. She stated the reason the homes still exist here is because water and sewer was not brought to this area. Under this Zoning, this will now be brought to the area. She stated those living in the area will have an opportunity to stay in their homes and their taxes will not change unless significant improvements are done to the homes for which they would have to get a Building Permit. She stated this Ordinance will give people an opportunity to change their property into a Commercial venture and will have the infrastructure to do so. She stated this will be a walking Village where people can live and support the small shops within the Village. She thanked the Historic Commission, Mr. VanDyke, and all those who have worked on this for many years.

Mr. Smith commended the work done by the Historic Commission. He asked about the availability of sewers, and Mr. VanDyke stated Mr. Fedorchak has been working on this with Mr. Troilo. Mr. Smith stated for approximately one and a half months they have had a Farmers' Market in Edgewood Village one night a week which has been very successful. He stated there has been discussion about Edgewood Village being a Town Center, and he feels the attendance at the Farmers' Market indicates that this will someday become a true Town Center.

Mr. Caiola asked about infill structures, and Mr. VanDyke stated "infill" is new building between existing historic buildings. Infill would have to meet design guidelines and complement what is already on the parcel.

Mr. Santarsiero stated the Zoning change is only the first step, and he asked that Mr. VanDyke discuss the next steps that would be taken. Mr. VanDyke stated the Historic Commission has been working with developers on three parcels that have not yet gone before the Planning Commission. The Planning Commission will look at these as to how they comply with the Ordinance and look for input from the EAC and the Economic Development Committee. He stated the Historic Commission will do an overview to see if they are in keeping with the Plans, and HARB will also review any proposals. The Plans would be reviewed by Township professionals as well including both the Township engineer and the Township Traffic engineer. He added that the Historic Commission is actively seeking Grants for streetscape improvements as well so that the existing properties can be enhanced. Mr. Santarsiero stated when they had the initial meeting in January, 2006, the existing residents were concerned with traffic and stormwater issues,

and these will be considered as Plans come in and go before all the Boards and Commissions as well as the Township professionals to make sure they comply. He stated there will be ample opportunity during that process for further public comment.

Mr. David Miller, 1648 Yardley-Langhorne Road, stated he has lived at his property for thirty-seven years. He asked if this document is available for public review, and Mr. Santarsiero stated the Ordinance was advertised for public comment and is available to the public. Mr. Miller stated the letter he received inviting him to the meeting had nothing in it that something was available for him to read ahead of time. The Board noted they are not voting on this tonight so there is time to for the public to review the document. Mr. Miller stated he is very concerned about sewer and water. He stated there has been encroachment with sewer and water into the Village or close to the Village, and the line has gone up to Edgewood Road. He stated sewer and water has come to those who can afford it because they have incomes that will support the expense, but he is concerned that when the two major developers get their approvals and get their sewer and water, the existing residents will not. He stated the Township must get involved in this so that the existing residents can get sewer and water. Mr. Smith stated he discussed this matter with Mr. Miller previously and indicated that he was in favor of sewerage the entire Village and doing whatever he could to make sure there is a means for those who live in the area to have a process so that over a period of time they could pay for a hook up. He stated he would not vote for any Plan unless it would allow for the existing residents to hook up and pay for sewer and water over a period of time so that it is affordable to the residents. Mrs. Godshalk stated she also feels that there are Grants they are looking into which could help with this. She stated they have also provided a process for payment in the past to get sewer and water to other developments.

Mr. Miller asked about the permitted uses and asked if they would be for every parcel in the Village or only those of a certain size. Mr. VanDyke stated the uses are for every parcel, but for parcels over five acres there is a requirement that there be a mixture of uses so that there is not just five acres of Commercial. Mr. Miller stated he feels banks should be stricken as a permitted use as they could have three to four banks in the Historic District. Mr. Santarsiero stated while he agrees with Mr. Miller, he noted it is permitted as a Conditional Use. Mr. Miller stated he does not feel they should permit any drive-ins.

Mr. Miller stated the greatest offender of stormwater in the Village is the Patterson Farm. He stated the corner of Patterson Farm behind is property is like a river coming down to the adjoining properties. He stated stormwater management must take into consideration the surrounding area.

Mr. Jim Bodner, member of the Masonic Lodge, stated he has indicated previously that they would like to be included in the planning and from the presentation tonight he has

seen nothing about the Masonic Lodge. He stated there is also nothing included about taking them out of the Historic Zone. He stated one group says they are in the Historic Zone and another says they are not. He asked how this will impact their building. Mr. Smith stated if they are not in the District, it will not be applicable. Mrs. Godshalk stated a lot of the buildings in the area of the District were required to come into a Committee for architectural approval. She noted particularly the shopping centers. She stated when the Masonic Temple put on an addition, they were asked to come in and show what the brick looked like. She stated they wanted to keep the area outside the District compatible with what is in the District. She stated the Masonic Lodge would not have to make any changes to their building if this Ordinance is passed. Ms. Helen Heinz, Historic Commission, stated technically the Masonic Temple, like the more modern houses along Yardley-Langhorne Road adjacent to I-95, are considered “non-contributing structures” but they are part of the Official Registered District which is why they have to come before HARB. She stated at the time Heacock Road did not go all the way through and Edgewood Road went through to Yardley-Langhorne Road so when the District was drawn, they were included as “non-contributory structures.”

Mr. Bodner asked if the Masonic Lodge would be able to do anything with their property such as putting in a Commercial property so that they could generate some income since their membership is down and it is getting hard to maintain the building. Mr. Caiola stated he feels they would have to go to the Zoning Hearing Board for a Use Variance. Mr. Stainthorpe stated he feels this would be an issue totally separate from the Traditional Neighborhood Development and would require a Zoning change of the Board of Supervisors. Mr. Smith stated if they were going to introduce something Commercial on that side of the street, they would have to get input from the residents in the area. Mrs. Godshalk stated the Masonic Lodge was allowed to go in the Residential District as Churches are. She stated the whole area was zoned Residential. She stated the Fire House was originally on the land where McCaffrey’s is, and McCaffrey built the Fire House so it was allowed to go into the Residential District since fire houses are allowed in Residential Districts. She stated the professional building was allowed to be developed at that point by McCaffrey as well since they built the Fire House. Mr. Smith stated there is a difference between a Fire House and Commercial development.

Ms. Gail Freedman, 699 A Rose Hollow Drive, stated this Ordinance will permit a lot of development on a relatively-small area; and she feels it is important to see what will go where so that they can see how it will work. She feels it should be a comprehensive plan for the overall development of Edgewood Village. Ms. Freedman stated she hopes the ability to remove or replicate historic structures will be used extremely sparingly and the circumstances of hardship will be stringently defined since when structures are moved, you erode the historic fabric of the neighborhood. Mr. Smith stated this issue was extensively discussed by the Historic Commission. Mrs. Godshalk stated they are very aware of losing their National Register status if too many of the buildings are jeopardized, moved, or taken down. Mr. Smith stated it is important to move the process

along since some of the buildings have resulted in demolition by neglect, and they hope to correct this by moving the process along.

Ms. Virginia Torbert, 1700 Yardley-Langhorne Road and member of the Patterson Farm Committee and the Citizens Traffic Committee, asked if the developers will have to fully comply with the new Low Impact Development Ordinance. Mr. VanDyke stated they will. He stated they will have to address up to a ten year storm on site; and above the ten year storm, they will manage it in a regional stormwater system. Ms. Torbert stated she felt any development had to deal with all of its stormwater on site. Mr. Smith stated he understands that since nothing has been submitted to the Planning Commissions for proposed development, that they would have to comply with LID and all other Ordinances in place. Mr. Truelove noted Section 200-41.1b states “the provisions of the underlying District shall govern unless the provisions of the TND are chosen.” He stated the EAC and other reviewing Commissions would be involved in the process.

Ms. Torbert asked what “Regional Management” means in this context and asked what they mean by “the Region.” Mr. Majewski stated it is the area in and around Edgewood Village. He stated there are several areas which already have problems as noted by Mr. Miller and there is some thought being given to capturing some of the water and taking it away from the Village to make the situation better. He also noted the area near the CVS where there are two detention basins separated by a berm, and they are considering the possibility of enlarging this area into one larger basin to gain more storage volume. He stated with the underlying soils in Edgewood Village, it may not be possible to infiltrate all the water on a site, and they may have to manage it off site at a regional facility. Ms. Torbert stated this is her concern, and stated she does not want to see the Patterson Farm become a “dumping ground” for the stormwater from a large development. She stated particularly for the ten acre development, she feels they should be required to deal with all of their own stormwater. She stated there was also a comment in the Ordinance that there should be 25% native plants in the common areas, and she questions why they would not have to have 100% native plants in these areas. Mr. Santarsiero stated he does feel they are following the Low Impact Development Ordinance. Mr. Truelove stated there are specific provisions that deal with the specific design and nature of this type of development and he does not feel they are inconsistent with the LID Ordinance although he noted he is not an engineer. He stated this Ordinance has been in development in parallel with the LID and some of the other Ordinances.

Mr. Jim Hilo, 1767 Yardley-Langhorne Road, stated his home is across from the Flowers house. He stated he does not see any reference to his home and stated he understands from the Overlay that they will be Residential/Commercial. Mr. Stainthorpe stated he feels they would be grandfathered in with the original Zoning when his home was built. Mr. Hilo stated he understands that he could sell it as a Commercial property, and Mr. Stainthorpe stated if it were sold as a Commercial property and the home were taken down, the development would come under the new Ordinance. Mr. Hilo asked if they

could put a business in and have apartments above, and Mr. VanDyke stated they could do this in the existing building. He stated because there are minimum setbacks, if the house is set further back, they could also expand the front to meet the new setback requirements. Mr. VanDyke stated the intent of the Ordinance is to provide more opportunities for the property owners.

Mr. Hilo stated he is also concerned with the streetscape, and he has been assured that he would not be required to install sidewalks. He stated if they are going to have on-street parking and there are not sidewalks in front of his property, people will be walking on his property. Mr. VanDyke stated as a homeowner, he would not be required to install a sidewalk in front of his property; but if he was going to change it to Commercial, he would be required as part of Land Development to install the sidewalk. Mr. VanDyke stated they are looking into Grants to hopefully get some of these improvements in. Mr. Hilo stated he does not want a sidewalk in front of his home. He noted there is a bikepath currently behind his home. He stated in the artists' rendering, there is a sidewalk in front of his house.

Mr. Jim Bray, Chairman of the EAC, stated the EAC has looked at the Ordinance with respect to stormwater management; and while they feel this could be an incredible asset to the Township, stormwater management is extremely crucial and they will take a hard look at it.

This matter was deferred until September 19, 2007. Mr. Smith asked that the Ordinance be put on Website if it is not already and that the residents in the area again be invited to the meeting when this is scheduled for discussion.

UPDATE ON TOWNSHIP WELCOME SIGNS

Ms. Doreen Albaharry and Helen Heinz, Historical Commission, were present. Mr. Smith stated the Board of Supervisors was interested in having Welcome Signs to help identify Lower Makefield Township. Ms. Albaharry stated the Historic Commission discussed this and felt the signs should be consistent and recognizable as the Township sign. They made a rough sketch similar to what Mr. VanDyke had recommended for Edgewood Village. They are proposing that the signs be white along with the dark green color of the Township so that it is recognizable. The sign will state "Settled in 1682," and it will use the hand plow in reference to the Township's farming heritage. It will be simple and easy to read. They are considering two different sizes – 3 x 5 and 4 x 6 and they will discuss this with those making the signs and also go out to the different sites to see what would be appropriate so that it can be easily read.

Mrs. Godshalk asked if they are going to do a prototype, and Ms. Albaharry stated she will and will move forward with pricing.

Mr. Smith asked how many signs they feel are necessary, and Ms. Heinz stated they are working with Ms. Liney and they have identified the major gateways coming into the Township and feel they will need seven large signs and two to five small signs. They have identified where the signs should be placed and looked for public property or large institutional parcels where they feel they would be willing to have the signs. Ms. Heinz stated the Historic Commission all agreed that they wanted something elegant and simple.

Mr. Stainthorpe asked if it should not say “Lower Makefield Township” as this is the legal name, and Ms. Heinz agreed.

Mr. Santarsiero asked if they wanted it to say “Welcome To;” and Ms. Heinz stated while they did consider this, they felt it was best to simply state “Settled 1682.” Mr. Santarsiero asked if they were not welcoming people to the Township, and Ms. Heinz stated they felt the sign itself does this.

Ms. Albaharry stated she will be meeting with the sign manufacturer shortly, and they hope to come back to the Board of Supervisors in September.

DISCUSSION AND APPROVAL OF ELECTRICITY USE INVENTORY AND RENEWABLE ENERGY ASSESSMENT PROPOSAL

Mr. Fedorchak stated at the March 21 Board of Supervisors meeting, the Board unanimously endorsed participation in the Cool Cities Program as recommended by the EAC. The first step was to adopt the Mayor’s Climate Protection Agreement which set out a goal of reducing the Township’s contribution to carbon dioxide pollution to 7% of 1990 levels by the year 2012. The Board then signed an Enabling Resolution which authorized the Township’s participation in the non-binding Agreement. The second step is for the Township to conduct a global warming emission inventory and a comprehensive energy audit of Township facilities. In late 2006 he and Mr. Bray began working on this and met with a number of firms which had experience with energy audits; and as a result of these meetings, they were able to customize a scope of work to best suit the needs of Lower Makefield. In May, an RFP was sent out and of the firms originally expressing interest, one, Mesa Environmental Science, submitted a proposal which had been included in the Board’s packet. Mr. Fedorchak stated Mr. Gary Sheehan from Mesa is present this evening to discuss the proposal. Mr. Fedorchak thanked Mr. Jim Bray for his assistance in this matter.

Mr. Bray stated this proposal was before the EAC on 6/13/07 and was unanimously endorsed. He stated Mr. Sheehan is one of the principals and founders of Mesa which has just recently been linked with Suntechnics which is one of the largest renewable service energy companies in the world.

Mr. Sheehan stated he was asked to prepare a proposal regarding an energy efficiency evaluation for the Township and renewable energy opportunities. They will do a detailed electricity usage inventory for all the Township facilities. They will put together a comprehensive spread sheet which will show what they are using, how much, and when. They will do some modeling based on discussions with Township staff and will also provide some remote monitoring at certain locations. They will look at the Pool and see what savings could be done through using the sun to heat the pool water. They will look at HVAC, appliances, and lighting. They will also make comments on the building envelope. They will look at areas where it may be appropriate to develop renewable energy opportunities and present a comprehensive report so that the Township can develop an energy plan. Mr. Sheehan stated he feels the entire process will take three months.

Mrs. Godshalk stated they should consider the heating system, and Mr. Fedorchak stated this will be a very important part of Mr. Sheehan's report.

Mr. Stainthorpe stated the price of up to \$15,000 is significant but they could get estimated savings of 10% to 40%. While he feels 10% would be easy to do, he feels 40% would require additional investment over and above the study. He asked Mr. Sheehan what are the ranges of additional investment to get to a 40% savings. Mr. Sheehan stated HVAC is a significant item. He stated there are 30 to 40 different items that they could consider. Mr. Sheehan stated he cannot state that they will save \$15,000 in the first three months; although they have seen savings from 10% to 40% and they will identify the easiest proposals to start with. He stated they will also identify building improvements that would be necessary so that they can make choices in a long-term plan.

Mr. Stainthorpe stated he is interested in having the Township apply for a Pennsylvania Energy Harvest Grant, and he asked what Mr. Sheehan would do to get the Township in position to get one of the Grants. Mr. Sheehan stated they have been involved in completing Energy Harvest Grants for other clients and part of the document they will submit to the Township will identify the best opportunities to prepare for an Energy Harvest Grant Application as well as other Grants. Mr. Stainthorpe stated he would like to know if it is possible to run the Township Building through solar power. Mr. Sheehan stated they have built approximately 250 solar power systems. He stated when the State sees a Township doing something with regard to energy savings, they are more inclined to award these Grants. Mr. Stainthorpe stated he wants to get to a point where they are saving the taxpayers money and putting some energy back out. He stated he already has support from the State Senator and State Legislators, and would appreciate Mr. Sheehan being able to get them to the point where they could get such a Grant. Mr. Sheehan stated energy efficiency is the most important piece.

Mr. Smith stated during the last one and a half years, the Board of Supervisors has taken some major steps toward Low Impact Development, conservation, and energy efficiency; and he feels this is the next step.

Mr. Stainthorpe moved and Mrs. Godshalk seconded to award the contract to Suntechnics as per the proposal presented.

Ms. Helen Bosley, 546 Palmer Farm Drive, asked if he will provide prices for the recommendations; and Mr. Sheehan stated they will have a full accounting of energy usage and where the best investments would be including costs, what would be the most cost effective steps to take, and financial return. Ms. Bosley asked about the current Township energy costs. Mr. Sheehan stated this is what they will find out.

Mr. Fedorchak stated they use electricity and natural gas. Ms. Bosley asked how much is spent each year, and Mr. Stainthorpe stated when he looked into this when they were considering the wind energy proposal, 10% of the yearly use was \$30,000 so electricity was about \$300,000 per year. He feels gas would possibly be the same. Mr. Sheehan stated rate caps are going to come off the energy costs, and this could result in 25% to 75% increases.

Mr. Santarsiero stated what is being considered this evening is an outgrowth of the EAC and the Cool Cities Program. He stated with the rate caps coming off, he feels it is very important to proceed.

Mr. Smith stated they are encouraging the Township residents to save energy, and he feels the Board of Supervisors needs to take this step with their own facilities as well.

Motion carried unanimously.

APPROVAL OF ORDINANCE NO. 370 CREATING PROCEDURES AND STANDARDS FOR THE USE OF A TEMPORARY HOLDING TANK FOR A DEVELOPMENT PROJECT

Mr. Stainthorpe moved, Mr. Santarsiero seconded and it was unanimously carried to approve Ordinance No. 370.

APPROVAL OF RESOLUTION NO. 2147 APPROVING SEWAGE FACILITIES PLANNING MODULE FOR TOWERING OAKS SUBDIVISION

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to approve Resolution No. 2147.

AWARD CONTRACT FOR 2007 ROAD PAVING PROGRAM

Mr. Majewski stated two weeks ago they issued a Notice of Intent to Award. They posted the Notice at the Township Building and on the Township Website. The Township has received no comments from any residents so they would recommend that it be awarded. It is part of the Responsible Contractor's Ordinance to allow the public opportunity to comment.

Mr. Santarsiero moved and Mr. Caiola seconded to award the Contract to General Asphalt Company in the amount of \$158,850.

Mrs. Godshalk asked if they have an Apprentice Program, and Mr. Majewski stated they do.

Ms. Helen Bosley asked how many firms responded to the RFP, and Mr. Majewski stated there were nine. Ms. Bosley asked if the lowest bidder has an Apprenticeship Program, and Mr. Majewski stated General Asphalt Company was the low bidder and they have a valid Apprenticeship Program. Ms. Bosley asked if all nine bidders had Apprenticeship Programs, and Mr. Majewski stated he only checked the low bidder.

Motion carried unanimously.

DEFER AWARD OF CONTRACT FOR THE BLACK ROCK ROAD PIPE REPLACEMENT PROJECT

Mr. Majewski stated the Township received four bids, and he is still checking the qualifications of the apparent low bidder. It was agreed that the matter be deferred.

STATUS REPORT ON DCNR'S CANAL DREDGING AND BLACK ROCK ROAD CULVERT REPLACEMENT PROJECTS

Mr. Majewski stated the Township received an update from the Larsen Design Group, DCNR's consultant for design of the culvert replacement at the Canal. He stated they are planning this month to do additional survey work and begin preliminary design and construction plans which should be completed by the end of October. They will then do the hydraulics for the design, soil borings, and a geo-technical report with design work to be completed by the end of the year. In the spring they will do the right-of-way plans for DCNR's approval. This should be approved in March, and Plans for the structure will then be done. Plan specs and estimates should be to DCNR by the middle of next year. They hope to have final plans and engineering completed with their permits by October of 2008. He anticipates they will then let the project out to bid. They plan to put the

project for the culvert replacement together with the canal dredging as one bid package. Construction could begin the beginning of 2009.

Mr. Santarsiero stated he assumes the bikepath along Black Rock Road will be done at that time as well, and Mr. Majewski agreed.

Mr. Sam Spera stated he would like to see the Canal filled in since he feels it is a drain on the economy. He stated it will cost \$35 million to repair the Canal and he feels there are better uses for these funds. Mr. Scott Burgess, 15 Glen Drive, stated he did see an article about filling in the Canal and it indicated it would cost much more than \$35 million. Mr. Spera stated he feels the costs of the floods will add up to more than \$35 million.

Mr. Smith asked the status of the backflow preventers. Mr. Majewski stated one is in at the ditch that is parallel to the Canal off of Black Rock Road and another is in at Macclesfield Park down the embankment by the River. They hope to get in a few more shortly.

ZONING HEARING BOARD

With regard to the Nancy and John Mitsos, 1464 Hidden Pond Dive, Variance request to permit construction of a fence in drainage and sewer easements it was agreed that the Solicitor should participate.

With regard to the Robert Amweg, 561 Keswick Drive, Variance request to replace existing fence and add a new fence within the floodplain, it was agreed that the Solicitor should participate.

With regard to the Dale Pinchot, 1574 Doe Trail Lane, Variance request to construct a drainage pipe within wetlands, Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried that the Township oppose.

With regard to the Martin Knappe, 219 River Road, Variance request to permit construction of an 8 foot shadowbox fence in front on an 8 foot security fence to screen the pipeline valve station located within Resource Protected Area, it was agreed that the Solicitor should participate.

With regard to the Ralph Nuzzolo, 628 Stony Hill Road, Variance request to construct a landing and stairs resulting n encroachment into the side yard setback, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Stephen Buch, 490 Kings Road, Variance request to replace wood retaining walls and walkway resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Yardley-Makefield Fire Company, Stony Hill & Heacock Roads, Variance request to construct a detached garage/accessory building exceeding permitted height, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Craig & Page Peters, 2305 Stackhouse Drive, Variance request to construct an addition resulting in greater than permitted impervious surface, it was agreed that the Solicitor should participate.

SUPERVISORS' REPORTS

Mrs. Godshalk stated work is continuing at the Garden of Reflection and they visited it on the Park & Recreation Road Tour. She has distributed to the Board of Supervisors a draft of the brochure which they hope to hand out on the arboretum plantings. She stated another sign will be put up in the arboretum area listing the contributors.

Mr. Santarsiero stated the Citizens Traffic Commission is working on methodology for ranking traffic issues throughout the Township. This is the first step toward drafting the report that will be presented to the Board of Supervisors sometime in the fall.

Mr. Caiola stated there was an article in the Bucks County Courier Times regarding the Regional Traffic Task Force held last evening. October 29 is the date set for a potential vote on the recommendations. That meeting will be held in Northampton at 7:30 pm. Prior to that there will be an open house on August 7 at Bucks County Community College on Swamp Road and on September 20 at Richboro Elementary they will have the Public Open House for comments on the recommendations from the Regional Traffic Task Force. Mr. Smith stated the meeting on October 29 is very important as this will be the meeting where they will consider a vote on the recommendations. He stated this process has been going on for years. He stated a CD will be sent to the Township Managers so that the public can see this prior to the public meeting. Mr. Caiola stated they were very supportive of the traffic calming efforts being made by Lower Makefield on Lindenhurst Road including getting the grant and funding in place, and he feels some of the Townships wish they were in a similar situation. Mr. Smith stated many of the neighbors from other communities felt Lower Makefield's steps for traffic calming was a way to deflect traffic to their communities, and it was stated quite clearly by the professionals present at last night's meeting that this is not the case and that it is in fact traffic calming. He thanked Ms. Sue Herman for her work on this issue.

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Mr. Smith stated there was concern expressed about trucks coming from New Jersey by-passing the weigh station and comments were made on the need for more enforcement. Chief Coluzzi stated there is a task force involved in enforcing this and there are fines for trying to by-pass the weigh station.

APPOINTMENTS

Mrs. Godshalk moved, Mr. Caiola seconded and it was unanimously carried to appoint Thomas Delate to HARB and the Elm Lowne Committee.

There being no further business, Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to adjourn the meeting at 10:25 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steve Santarsiero", is written over the typed name below. The signature is fluid and cursive.

Steve Santarsiero, Secretary



Township of Lower Makefield

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

**JULY 2007 WARRANT LISTS AND
JUNE 2007 PAYROLL COSTS FOR APPROVAL
JULY 18, 2007 BOARD OF SUPERVISORS MEETING**

7/2/2007 Warrant List	\$ 233,932.84	
7/07 Manual Checks	207,290.85	
7/16/2007 Warrant List	1,124,905.86	
Total Warrants & Prepays		1,566,129.55
<u>PAYROLL COSTS:</u>		
JUNE 2007 Payroll	440,245.24	
6/07 Payroll Taxes, etc.	196,751.63	
Total Payroll Costs		<u>636,996.87</u>
TOTAL TO BE APPROVED		\$ <u><u>2,203,126.42</u></u>

