

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – MAY 17, 2004

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 17, 2004. Chairman Fazzalore called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 6:00 p.m. interviewing candidates for the Police Department and discussing legal and real estate matters.

Those present:

Board of Supervisors:        Frank Fazzalore, Chairman  
                                     Scott Fegley, Secretary/Treasurer  
                                     Grace Godshalk, Supervisor (left meeting in progress)  
                                     Steve Santarsiero, Supervisor

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

Absent:                         Pete Stainthorpe, Vice Chairman Board of Supervisors

PUBLIC COMMENT

Mr. Christopher Hewlett, 700 Ardsley Court, stated they have had a swimming pool for fourteen years. They wished to increase their deck and were advised that they could not get a permit to do so unless they installed a door alarm on the enclosure. He asked the purpose for this and was advised it was to protect children. He stated he and his wife are older and have never had such an alarm. He asked if this requirement could be waived. Mr. Fedorchak stated the staff will look into this and get back to Mr. Hewlett and advise him of the process he needs to follow.

Mr. Don Kimmelman, Bedford Place, commended the Police Chief and the Police Department for clearing up the case regarding the vandalism of School buses.

Mr. Jack Morrison, 18 Del Rio Drive, stated Macclesfield Field A, Macclesfield Field B, and the Pool fields have a safety problem with foul balls. Mr. Fazzalore asked that he discuss this with the Park & Recreation Board. Mr. Morrison stated he has discussed this with them. Mr. Fazzalore asked that he discuss it with them again as the Board of Supervisors relies on the Park & Recreation Board to make recommendations.

#### CONFIRMATION OF EAGLE SCOUT PROCLAMATIONS

Mr. Fazzalore confirmed Eagle Scout Proclamations for Joseph Naylor and Sean Michael Sullivan. The Court of Honor was held May 8.

#### APPROVAL OF MINUTES

Mr. Fegley moved, Mrs. Godshalk seconded and it was unanimously carried to approve the Minutes of May 3, 2004 as amended.

#### APPROVAL OF MAY 3 AND MAY 17, 2004 WARRANT LISTS AND APRIL, 2004 PAYROLL

Mr. Fegley moved, Mr. Santarsiero seconded and it was unanimously carried to approve the May 3 and May 17, 2004 Warrant Lists and April, 2004 Payroll as attached to the Minutes.

#### YARDLEY BASEBALL DISCUSSION

Mr. Robert Buckley was present and submitted a prepared statement (attached to the Minutes). He stated he is the President of Yardley Baseball and appeared before the Board of Supervisors seeking sanctioning in April, 2003. This was approved by the Board at that time. He stated this year he only received one 90' field time which he feels resulted in discriminating against the children in their program. He stated they were never notified that their sanctioning was in jeopardy; and as far as he knows, they are still sanctioned. He stated Ms. Liney had previously stated that they would not be excluded. They submitted rosters for six teams while PAA submitted for sixteen teams. He stated St. John's submitted for one team, and there were two adult teams which were not sanctioned. He stated the only field time his organization was given was 8:30 a.m. to 11:30 a.m. on Sunday morning which is basically unusable because their children are in church during that time.

Mr. Fazzalore stated he understands that Yardley Baseball failed to provide their insurance on time. Mr. Buckley stated this is incorrect. He stated he advised Ms. Liney that their insurance had changed, but that they were covered and he sent a letter to Ms. Liney indicating that they were insured. Mr. Fazzalore stated he feels they should review the new policies which were recently approved. Mr. Buckley stated he has received them, but he feels they should not be required to adhere to policies that were not printed at the time the requests for registrations were sent out. Mr. Buckley stated he feels there are problems with the rules as they apply to Yardley Baseball and PAA since



PAA does not have any separation between their travel team and their intramural team. Mr. Fazzalore stated the Park & Recreation Board worked on these rules for a year.

Mr. Buckley stated he feels the Board of Supervisors should advise the Park & Recreation Board of his concern that they have indicated that adult leagues are more important than youth programs. He stated adult teams are only required to have 60% Township residents while the youth teams need 80%. He stated the adult teams are also not required to have an intramural program. He noted Statement A which has been added, he feels, to benefit St. John's. He stated this is also related to a statement regarding Department discretion. He is concerned that someone working in the Park & Recreation Department has the ability to give fields to someone they may know. He stated they took away the written rules and regulations and installed discretionary decision making.

Mr. Buckley stated Mr. Fritchey was questioned by members of the Board of Supervisors whether this new policy was put in place to limit new organizations and he questions why they changed Rules 10 and 11 changing it from two years to one year.

Mr. Fedorchak stated the Park & Recreation Board discussed these changes at a number of public meetings and anyone could have attended those meetings and provided their input.

Mr. Buckley stated he was referred to by Mr. Fritchey on a number of occasions as an individual who started an organization so that he could coach his son. He stated he left PAA because he did not agree with the decision making that was taking place and could no longer work with them. He stated he is insulted by the comments made by Mr. Fritchey.

Mr. Fazzalore noted the letter written to Mr. Fedorchak with three questions and Ms. Liney's response to those questions. He asked Mr. Buckley if he received this, and Mr. Buckley stated he did not. Mr. Fazzalore stated the one question involved Mr. Buckley's comment that he was not given sufficient field time. Ms. Liney stated that in their judgment the field time given to Yardley Baseball was not disproportionate to the number of players.

Mr. Fedorchak reviewed the history of the submission of paperwork and Township requests for additional information from Mr. Buckley.

Mr. Fritchey joined the meeting at this time. Mr. Fazzalore stated he would like the Park & Recreation Board to respond to Mr. Buckley's concerns. Mr. Fritchey was provided the written synopsis submitted by Mr. Buckley this evening.

Mr. Fazzalore stated there are only two 90' fields in the Township. Mr. Buckley stated these fields yield 34 time slots. He stated he does not feel there was a fair distribution of field time. He stated St. John's received twice as much field time as Yardley Baseball and they only have one team.

Mr. Fritchey stated last year at this time Mr. Buckley came in and requested field permits and sanctioning. While Park & Recreation did not feel they met the terms for sanctioning, he was given field permits to give the organization the opportunity to get their program started. Mr. Buckley then went before the Board of Supervisors who felt that the rules were arbitrary and agreed to sanction him. This had no practical application for the field times he received. Yardley Baseball continues to be sanctioned this year provided they meet the criteria. Mr. Fritchey stated last year Mr. Buckley indicated it was his intention to run a comprehensive program. The Park & Recreation Board wants to allow for new organizations if there is a good basis for them such as if there is substantial dissatisfaction with the existing organization and if there is a market share for a new organization. Mr. Fritchey stated they are dealing with a finite number of fields, and there are organizations that have run programs for decades. Mr. Fritchey stated they wanted to see multiple age groups and programs for boys and girls. He stated they do not want to see an organization started because one individual was not chosen to coach his son's team. He stated Yardley Baseball had seventeen players last year when they came before the Park & Recreation Department which is not a sufficient number to have one player in every position. Yardley Baseball had indicated that they had a travel team and an intramural program but they involved the same children. Mr. Fritchey stated the travel program should grow out of a viable intramural program. Mr. Buckley had indicated this was his intention, and he intended to have a broad-based program and would have a fall program. Mr. Fritchey stated he had no program in the fall, paid no user fees, and requested no fields in the fall as he had promised he would. Mr. Fritchey stated Mr. Buckley advised Ms. Liney he would have teams in the spring, but at that time they had not received his insurance. Ms. Liney indicated his insurance had lapsed; and although Mr. Buckley indicated it was good until 3/31/04, they had nothing in writing from the insurance company at that time. One 4/2 they were contacted again by Ms. Liney about the insurance and on 4/5 they finally did receive notification that they had insurance. By that time she had let the permits. Despite this, Mr. Buckley was provided field times. Mr. Fritchey stated Ms. Liney works for the Township and she reports to Mr. Fedorchak. He feels she did what she could under the circumstances. He stated they do not have an unlimited number of fields. He stated there are four 60' fields and two 90' fields. He stated what Mr. Buckley is asking for is not simply that he get a permit, but that he get a permit at the expense of someone else.

Mr. Buckley noted the letter dated 2/27 which he delivered to Ms. Liney regarding her letter dated 2/5 where he stated the current insurance was in effect until 3/31 and he was advised it would be renewed by the end of the month and would send it to her once received. He also agreed to forward all 2004 rosters after the final registration.



Mr. Fegley stated he does not recall that Yardley Baseball got any permits until they came before the Board of Supervisors. Mr. Fritchey stated this is incorrect. He stated they did not get sanctioned until they came to the Board of Supervisors but they were given permits prior to that time. Mr. Fegley stated at this point they are a sanctioned organization. He asked how an organization that has six viable teams does not get priority over St. John's which only has two teams. He stated he is not sure St. John's is a sanctioned group. Mr. Fritchey stated historically the Township has given a field to St. John's, and several members of the Board of Supervisors have historically asked the Park & Recreation Board to do so. Mr. Fazzalore stated he has never heard about this. Mr. Fritchey stated Ms. Liney has indicated that various members of the Board of Supervisors urged her to give St. John's a permit.

Mr. Fegley asked if Yardley Baseball could not get one 90' time slot at a time other than 8:00 to 11:00 on a Sunday morning and give St. John's one time slot at a time other than 8:00 to 11:00 on a Sunday morning which would leave a number of time slots available to PAA including the 8:00 to 11:00 Sunday morning time slot. Mr. Fegley stated if an organization has met the rules, he feels they should be given one slot out of thirty-four. Mr. Fegley stated he feels PAA is a great organization, and they have done great things for the children in the Township; but he feels another organization should be given the opportunity to offer a competing program. He does not feel the Township should discourage this.

Mr. Fritchey stated when Ms. Liney let the permits, their insurance was not in effect as far as the Township knew. He stated they must also consider the impact if they have a lot of small splinter groups that do not offer broad-based programs.

Mrs. Godshalk asked if St. John's requests fields in the same manner as everyone else does and if they submit insurance information; and Mr. Fritchey stated they do. Mrs. Godshalk asked how many teams they have, and Mr. Fritchey stated he feels they have only one team and they play other CYO teams. It has been a long-standing program and the Township has a long-standing practice of granting them a field as well as allowing use of one field for the Conwell-Egan/Pennsbury competition at which over five hundred people come to watch. Mrs. Godshalk asked about the adult teams, and Mr. Fritchey stated there are two adult teams in the Township which have historically paid user fees and do provide insurance. They get a field Saturday night, Wednesday night, and Sunday morning. Mrs. Godshalk stated she was present last year when Mr. Buckley appeared. She stated PAA has done a wonderful job for decades but she still feels there is an opportunity for people to form new organizations

Mr. Jack Morrison asked how many people they have registered for Yardley Baseball, and Mr. Buckley stated they registered forty-eight before he cancelled the intramural program because he had no field to play on. Mr. Morrison asked how they would get six teams with only forty-eight players. Mr. Santarsiero stated the figures he was provided

show that they have only thirty-six players. Mr. Santarsiero stated he is astounded that for a Township the size of Lower Makefield they have only four 60' fields and two 90' fields. He stated he feels the Township can do better than this. Mr. Fazzalore asked where the money would come from to have additional fields since each field costs approximately \$50,000. Mr. Santarsiero stated this is a subject for a future meeting, and he feels it can be done if there is a need.

Mr. Santarsiero asked what constitutes a time slot, and Mr. Fritchey stated it is a two and a half to three hour time period.

Mr. Buckley stated currently they have only two travel teams. He stated they did away with the intramural team because they had no fields. Mr. Santarsiero stated in the material he received they had thirty-six players signed up. Mr. Buckley stated originally they had forty-eight. He stated currently he has fourteen on his roster and another gentleman from Yardley Baseball stated he has twelve on his roster. Mr. Santarsiero stated this is only twenty-six players and asked if this is adequate for six teams. Mr. Buckley stated it is not. Mr. Santarsiero asked who they play, and Mr. Buckley stated they play in the ECTV Tournament League out of South Jersey. Mr. Santarsiero stated he feels to some extent the Board is working with an incomplete record in that he does not have a good degree of comfort as to how many people Mr. Buckley would have if he had been given sufficient field time. Mr. Buckley stated they are not coming before the Board asking for more field time as the time for that was when they submitted their request. He stated they are not able to advertise, and their program will grow by word of mouth.

Mr. Fazzalore moved that this be sent back to the Park & Recreation Board for a solution to the problem. There was no second to the Motion.

Mr. Santarsiero stated he feels they should elicit more information.

Mrs. Godshalk stated PAA has a significant number of teams playing on six fields. She stated if Yardley Baseball is only playing travel teams, it is outsiders that are benefiting from the Lower Makefield fields.

A gentleman residing at 2111 Dawn Lane stated he feels the Township has the obligation to provide for adequate ground for recreation and the Board of Supervisors has the obligation to determine how to finance this. Mr. Fazzalore stated they would have to borrow money in order to do this. The gentleman stated he is the Manager of the fields for PAA and understands how difficult it is to accommodate all the teams on these fields. He provided information on the number of fields available in surrounding Townships. He noted PAA is expanding in the seven to ten year old age group which will result in greater numbers in the future of those needing 90' fields.



Mr. Mark Cook, PAA, stated he represents 1400 boys and girls. They have worked very hard to provide a recreation opportunity for the children. He stated they do not have a problem with another organization starting, but it should not be at PAA's expense.

Mr. Jim Drum, 504 Berwyn Road, stated he coaches for Yardley Baseball. He stated if they were in PAA, it would still involve additional children and it would result in another time slot needed. He stated their first eight games are away games.

Mr. Glen Johnson, 1635 Fairfield Road, stated he moved to Lower Makefield in 1999 and was active in Little League in California. He felt PAA was extremely reception when he joined that organization. He stated the organization is extremely open and they encourage participation. He stated he had several problems with what PAA did and they considered his issues and items were voted on. He feels PAA is an organization which encourages participation. He does agree there should be an opportunity for other organizations, but does not know why they want to promote a new organization if the existing organization is doing a suitable job.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road stated she was present at the last meeting this was discussed and recalled that the Board of Supervisors actively encouraged Yardley Baseball to try to get more members; and from what she is hearing Mr. Buckley did what the Board encouraged him to do. She feels Mr. Buckley has been treated unfairly; however they now have only two teams. She feels a fair compromise would be to give him a different time slot to something more reasonable and next year put the Park & Recreation Board and Ms. Liney on notice that Yardley Baseball is not to be treated with the bias she feels they have been treated with. She stated competition is a good thing.

Mrs. Godshalk stated she has heard people complaining about the time slots and if every field is unused from 8 to 11 on Sunday morning, it will make a bad situation worse. She feels they should take whatever they are given since the fields are in short supply.

Mr. Jack Morrison, President of PAA, stated the bottom line is that they need additional fields. If this means additional taxes to the residents of Lower Makefield, he feels they would be agreeable to this. He stated he understands the bonds will soon be due for Macclesfield Park. Mr. Fazzalore stated some are coming due in three to four years. Mr. Morrison noted the parcel of land near the Township Building and asked why they do not move forward on this. Mr. Fazzalore stated at the next Budget meeting, the Board of Supervisors will consider what they would like to do and how they will raise the money to do what they decide. Mr. Morrison asked if the Township would ever consider leasing the land to PAA, and Mr. Fazzalore stated they should submit a proposal to the Township. Mr. Fazzalore stated there is no cap on recreation millage although there is for General Funds.

Mr. Bill Hirschman, 1554 Brookfield Road, asked if baseball fields are planned for Memorial Park. Mr. Fritchey stated there are plans to build two 60' fields; however the concept for Memorial Park was that these would be permitted only as a last resort as they wanted to provide a place for people to play pick-up games, play at picnics, etc. Memorial Park was proposed to be a typical family park rather than an athletic complex. Mr. Fazzalore stated the Township did agree to borrow \$1 million for construction of the road and utilities to the Memorial.

Mr. Morrison thanked the Board of Supervisors for all the work they have done for PAA over the years.

One young man stated he feels those playing for Yardley Baseball should have the same rights as PAA players.

Mr. Fegley stated he would like Mr. Morrison, Mr. Buckley, and Ms. Liney to sit down to see if they can give Yardley Baseball a different time slot for this year. Mr. Fegley stated he feels it is obvious that the Township needs an additional 90' field, and he would hope that if the Township does provide this, that Mr. Buckley would not again be in this position. Mr. Fedorchak was asked to coordinate such a meeting.

Mr. Fred Allan asked if Mr. Fedorchak could get PAA to work on finding a spot in Lower Makefield Township for a 90' field. Mr. Fedorchak stated the staff can look at the land available and determine which sites are available for a 90' field.

Mr. Buckley stated Yardley Baseball is concerned with the make up of the Park & Recreation Board since executives from existing athletic organizations are on this Board and it is a conflict of interest. They feel this is one of the problems that led to this. He stated Mr. Fritchey continues to refer to him as an individual who is doing this in order to coach his son.

#### YARDLEY-MAKEFIELD EMERGENCY UNIT STATUS REPORT

Mr. James McCaffrey and Mr. Hank Lawrence were present. Mr. McCaffrey stated some time ago the Emergency Squad was in desperate financial shape. The Board of Supervisors urged the Rescue Squad to get back on solid footing. Mr. Lawrence stated last year they responded to 1,480 dispatches which is 158 more than the previous year. They have the second best in-service time for the paramedics in Bucks County. Their average response time is eight minutes. Mr. Lawrence referred the Board to the financial information he provided. He stated the software they purchased is now paid off. They have one ambulance which will be paid off this September. They are currently doing car seat safety inspections and they will expand on this. This is done at no charge. They currently have several Grants they are working on, one for the generator, another to



establish some health and safety programs, and another to purchase twenty external automatic defibrillators to be distributed in the Township. They are trying to purchase additional equipment to be used in conjunction with their work with children. They are receiving donations from companies they solicit. They are also working on a Fellowship Program with St. Mary's to improve the knowledge of the paramedics. They are coming up to their 50<sup>th</sup> Anniversary and will have an Open House approximately one year from now.

Mr. Fazzalore noted the Income Statement and noted the \$25,000 item for rent. Mr. Lawrence stated the accountant showed this as a prepayment amount. He agreed that they are not paying any rent for twelve years. Mr. Fazzalore noted the long-term debt of \$181,770 on the Balance Sheet, and Mr. Lawrence stated he feels this is the loan on the building. Mr. McCaffrey agreed to look into the details on this and how it offsets the prepayment amount previously discussed.

Mr. McCaffrey stated Mr. Lawrence has done a great job running the day-to-day operations and thanked the Board of Supervisors for their help. Mrs. Godshalk thanked Mr. McCaffrey for his involvement with the Rescue Squad.

#### PRESENTATION OF OPERATING BUDGET FOR MAKEFIELD HIGHLANDS GOLF COURSE.

Mr. Robert Swayze, Kemper Sports, Mr. William Taylor, and Mr. Terry Bannon, General Manager of the Course, were present. Mr. Fazzalore asked if they hired a Pro, and Mr. Bannon stated he starts this week.

Mr. Swayze noted the Budget package provided to the Board of Supervisors for July to December with the anticipated opening day of July 1. Mr. Swayze stated this shows that the Club should do well. Mr. Bannon stated the Clubhouse is almost completed.

Mr. Sam Conti, 96 Sutphin Road, asked if the financials are available to the public, and Mr. Conti was provided a copy this evening. Mr. Conti asked when they will be able to question these figures, and Mr. Fedorchak stated he can speak to Mr. Taylor at any time. Mr. Swayze also provided Mr. Conti with his card. Mr. Conti asked who will conduct the audit, and Mr. Fedorchak stated this will be done by the outside auditors at the end of the year. Mr. Fazzalore stated he also discussed with Mr. Taylor a number of controls he would like put in place to insure that there is no free golf and to make sure the pro shop receipts are accurate. Mr. Fazzalore stated there will be a starter on the first hole and the golfers will get a slip from the pro shop. The slips will be pre numbered and this gives control. Mrs. Godshalk asked that Mr. Swayze discuss the computer program they use, and Mr. Swayze stated the computer system shows who plays and when they played. They can take reservations over the phone and on the Website. You are given a

receipt and the receipt goes to the starter who balances this at the end of the day to make sure all who are playing are paying. Mr. Conti asked how they will identify the residents from the non-residents. Mr. Swayze stated they will have a property log and you will have to show your identification that matches up to the property. Mr. Swayze stated they will come in from Chicago for three days prior to Opening Day to go over everything.

Mr. Pete Vitella, Orchard Way asked the status of the Liquor License. Mr. Garton stated it is pending at the Pennsylvania Liquor Control Board.

Mr. Sam Speara, Tomlinson Lane, asked if they will open on July 1. Mr. Fazzalore stated they are having a meeting of the Golf Committee next week, and they will consider a Motion that the Course will open July 1. Mr. Santarsiero stated he is concerned about this because Holes 16 and 18 are of concern and need re-seeding. He stated this is why the decision was put off until the 25<sup>th</sup>. He stated they have projected close to 19,000 rounds for 2004. He has heard from golfers that while they obviously have an interest in opening on time, there is a concern that if people are on the Course too early, they could do substantial damage. Mr. Swayze stated this will be part of the decision process as to whether or not they should open. He stated the fairways do grow in slower. He stated the greens and tees are mature enough now. He stated the fairways for Holes 16 and 18 are of concern now, and they will have to look into contingency plans on what they might do. Possibly they could open a few days a week or not play those two holes. They will not make a decision on this until next week. The re-seeding was done this spring.

Mr. Fazzalore suggested that they drill the holes and install the flags and the sign so that people know that this is a Golf Course. Mr. Taylor stated they are waiting for the final bid. He described the type of sign they are considering.

Mr. Don Kimmelman, Bedford Place, stated he feels a sign at the red light with arrows is necessary. Mr. Taylor stated they are in contact with PennDOT about this.

Mr. Conti asked what Kemper is doing to promote outings. Mr. Swayze stated they are involved in trying to attract group play. He stated the Senior League is also very important to go after because they can play at times when others cannot.

Mr. Fazzalore stated they are still under Budget at this time because the interest expense is less than was budgeted. Mr. Santarsiero noted net operating income versus debt service and the actual debt service. He asked about the rate. Mr. Taylor stated it is at 3 ½ % and as of last week it was 1.6%. These interest rates apply to the projected debt service amounts noted in the report.



DISCUSSION OF PROPOSED SUBDIVISION OF SATTERTHWAITE HOUSE  
(PATTERSON FARM)

Mr. Fazzalore stated this matter is on the Agenda this evening because there was the impression in the community that the Township was subdividing the entire Patterson Farm which is not the case. They are only proposing taking out a small portion including the white house, the barn, and some outbuildings.

Mr. Fedorchak showed on the overhead the entire Patterson Farm and the portion which is being considered for subdivision. It is a 2.3 acre tract. It is the intention to ultimately sell this property through a public bid. The Township would attach certain façade easements, and there would be the requirement that the white house be brought up to certain historic standards. This would be for the outside only. The tract is R-1 and only those uses permitted by right in this residential district would be allowed. A shaded area was shown which is an area of approximately seventy acres which is a deed restricted area. The area to be subdivided is outside of this area.

Mrs. Godshalk stated the high bidder would have to prove that they would have the money to restore the house in a reasonable time.

Mr. Fedorchak stated the Historic Commission has recommended to the Board of Supervisors that they attempt to save the structure. They sent out an architect and structural engineer to evaluate the building, and they advised that it would cost as much as \$500,000 to bring the structure up to current Codes.

Mr. Russell McLaughlin was present and stated approximately one and a half years ago he accompanied the architect and structural engineer on the inspection of the white house. The problem is the extent of damage and deterioration that has gone on in the building. All mechanicals would have to be replaced. There are also structural problems with the house. There has also been insect damage. The foundation walls need repointing. The outside silt plate needs to be replaced, and the first floor needs to be reframed. There have also been water leaks through the roof for an extended period of time. The exterior clapboard and porch also need work. The architect came up with a cost estimate of \$400,000 to repair the structure, and this did not bring into account adding the historic façade. He stated this is only an estimate because once you open up the walls, you could find additional items.

Mr. Fegley asked if it is safe for human habitation, and Mr. McLaughlin stated he felt it is questionable. He stated he does not feel it will fall down tomorrow, but the lack of maintenance that has occurred is tremendous. He stated the cost estimate of \$400,000 was given a year ago.

Mr. Santarsiero noted the 1/28/03 price breakout. He noted the first line item which is site work and asked Mr. McLaughlin what this is for. Mr. McLaughlin stated there are areas around the house that need to be cleaned up since there are areas where there is loose stone, etc. This does not relate to the structure. Mr. Santarsiero stated the next item is demolition, and Mr. McLaughlin stated the architect estimated that this would involve removing material from the house including plaster and other material. The house is 6,750 square feet. Mr. Santarsiero noted the structural repairs, and Mr. McLaughlin stated if you read the engineer's report there are certain items which he recommended adding such as structural beams that need to be installed. He stated the entire first floor is "shot" and they would have to reframe the first floor. This cost is included in General construction. Mr. Santarsiero noted the \$40,000 item for structural repairs and asked how this differs from repairing the floor joists in the first floor. Mr. McLaughlin stated he is not sure how they broke out the numbers. He stated he advised the architect that this building had historical significance. He asked him to give a best estimate on how to restore the building. Mr. Santarsiero stated it appears that they cannot tell the difference between general construction repairs and structural repairs. Mr. Santarsiero stated \$202,000 is shown for general construction, and Mr. McLaughlin stated this would be framing, insulation, etc. Mr. Santarsiero stated a number of these things could be things that are not of an immediate structural nature, and Mr. McLaughlin agreed.

Mr. Santarsiero noted the 3/17/03 engineer's report and the previous report dated 2/26/99 written by Mr. McLaughlin. Mr. McLaughlin stated at the time he went through the building it was in bad shape although it was not as bad as it was in 2003.

Mr. Santarsiero asked him to describe the differences. Mr. McLaughlin stated he feels there was more leaking from the roof and the inside stucco had also deteriorated. The one floor that had dropped in 2003 had not dropped four years before to the best of his recollection. Mr. Santarsiero asked how these things happened over this period of time. He referred to the Agreement of Sale, paragraph 9, page 4 which describes the condition of the buildings which includes the terms "habitable and in reasonable condition." He stated the Township had the right to inspect the buildings to make sure that they met this requirement. He asked if the Township inspected the buildings at that time.

Mr. McLaughlin stated the white house was the only one he was in. Mrs. Godshalk stated the Township was not allowed access to the house and they were only allowed into one room of the house which was the parlor. Mr. Santarsiero asked why they did not exercise their right to enter, and Mrs. Godshalk stated the people were elderly and they felt it was best to handle it in this way. Mrs. Godshalk stated the offer was "as is."

Mr. Fegley stated when the Board bought the Patterson Farm, the purpose was to preserve open space. The Board had no illusions about the conditions of the homes. It has been the position of the Board since they purchased the Patterson Farm that at some point they would subdivide this property out. Regardless of what the contract says, no one on the Board felt that they were getting a property that was in reasonably good condition. The purpose was to preserve 233 acres of open space.



Mr. Fazzalore stated the Pattersons were living in the main house at the time, and there was a verbal agreement made that as long as they were on the property, they would not step on that property.

Mr. Santarsiero noted the report dated 3/17/03 page 2 regarding the failure of the joists on the first floor where it indicated that it would be possible to repair the joists on a case by case basis. Mr. McLaughlin stated this was written by the structural engineer. He stated the last portion of this indicated it would be more expeditious to replace the entire floor. Mr. McLaughlin stated there were two problem areas on the second floor. There had been a leak in the house and when you went into the front of the house, the floor was soft. When you went toward the back there was a bathroom which had been added and the floor within that bathroom was sloped and these are the areas the engineer is referring to. Mr. McLaughlin stated the second floor has areas of concern and there are areas where the plaster has been falling off because of moisture. He stated the outside porch roof had an area of concern and about two weeks after the inspection, there was a collapse of this and they could then see the problem with deterioration of the side walls and an insect problem. This could not have been seen previously from the inside. He stated until you get into the building and start opening it up, you cannot tell what other problems you will encounter.

Mrs. Godshalk stated there have been some questions that this property was bought with Referendum money, and Mrs. Godshalk stated this is incorrect. The Referendum was not put to the voters until the year after the purchase. She stated this is what spurred them to have a Referendum because the cost to the Township for this property was \$7.2 million and land was quickly disappearing. They did allow a certain portion of the property to be considered as part of the County money and in the deed they stated that this is open space and will be farmed as long as there is a farmer to farm it, but it can also be used some day for recreation property. This is in the Agreement. She stated the State is taking approximately seven acres of the property for the ramp off I-95.

Mr. Fegley stated while it is correct that this was purchased before the Open Space Referendum, the purpose of the purchase was to preserve the property. By subdividing 2.3 acres and selling it to someone to preserve it, it is a form of preservation.

Mrs. Godshalk stated this is a way to have the property preserved by an individual who can preserve it at no cost to the Township. She stated the Historic Commission did look at this and felt this was the best way to preserve the house and have someone purchase it, put money into the house, and restore it.

Mr. Santarsiero noted the Minutes from the 7/19/99 Board of Supervisors meeting and under Other Business Mr. Hackman stated someone would go through the Satterthwaite House to determine what needed to be done to put the house in a safe condition and that the matter had been discussed in Executive Session and a Plan of Action was approved.

Ms. Donna Doane stated she is a lifetime resident and a Realtor in Pennsylvania. She stated her Aunt lives in the house under discussion. She showed a picture of what the house looked like when the Pattersons owned it. She stated the Township purchased it for \$7 million and it was worth \$20 million. She stated using the Patterson Farm has saved the Township a significant amount of money as they use it for leaf disposal. Ms. Doane stated her Aunt would not be bothered by any work done on the home. Ms. Doane stated she would be in favor of something like the Howell Living History Farm for this property. She is also concerned about the work that the Township did which ruined the roof. She stated she feels a home inspector would go in and look at the house for about \$400. She recommended an individual who does historic home inspections only. She feels the estimate for work to be done which has been given is outrageous.

Mr. Tristram Heinz, Stony Hill Road, stated he feels this should be handled by a committee similar to how Elm Lowne and the Five Mile Woods are handled which could look at all the buildings on the entire tract. He asked if they are going to do this two years from now regarding the Patterson House as well. He stated this house possibly has more historic value than the Patterson Farm house since it was owned by both of the families who owned the entire Township.

Mr. Gary Cruzan stated the State is supposed to pay \$200,000 for the land they are taking from the Township. Mr. Fedorchak stated the offer was \$270,000, but the Township has not accepted this proposal. Mr. Cruzan stated he feels the farm should be kept the way it is and stated he does not feel anyone selling their home would publish what poor condition it is in and then expect to sell it. Mr. Fegley stated they must be up front on the condition of the property when they put it out for sale.

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried that the Township spend the money to get the test borings of the wood at the Patterson farm (three buildings) up to \$3,000.

Mrs. Godshalk moved and Mr. Santarsiero seconded to start a Historic Preservation Fund and take the money that was received from the sale of the Tomlinson Store (\$300,000+) and put it in the Historic Preservation Fund. Mr. Fedorchak stated this money is currently in the Capital Reserve Fund. Motion did not carry as Mrs. Godshalk and Mr. Santarsiero voted in favor and Mr. Fazzalore and Mr. Fegley were opposed.

Mr. Fegley stated he would not want to make a decision on this tonight. He stated the Township could take this money and use it to purchase open space or use it for restoration. Mrs. Godshalk stated there is already \$5 million that the people voted on.

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to table.



Ms. Sue Herman stated they are not going to have the opportunity to have these buildings again. Mr. Fazzalore stated it was never the intention to have the buildings go away if they were sold to a private individual. He stated restrictions would be placed and the house in private hands would be restored. Ms. Herman stated she feels the Township residents are excited about having these buildings in public hands. Mr. Fegley stated it is very expensive for the taxpayers to maintain these historic structures and they do not bring in any taxes. If it is put in private ownership, the structures will be maintained, taxes will be paid, and the open space preservation goal is still fulfilled.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to turn the problem of alternatives over to the Historic Commission and have them come back with their recommendations on what they should do and how they should do it including the amount of money they need to remodel and where the funds would come from.

Ms. Virginia Torbert asked Mr. McLaughlin if he was ever asked for an estimate of what it would cost to bring the Satterthwaite House up to current construction Codes. Mr. McLaughlin stated the report he submitted was a guestimate. He was given the instructions to bring in an architect and a structural engineer from the outside who had no affiliation with this area. He asked them to see the condition of the house and decide what it would cost to bring it up to a habitable standard. Ms. Torbert asked if he was asked to bring it up to a standard whereby the Township would be assured that they could rent it if they were the landlord. She stated she feels the \$400,0000 is not what it would take to bring it up to Code. She stated she feels this violates the spirit of what they were going to do since they stated they were going to preserve the farm. She stated a farm is not just the land. She stated five years ago they stated they were going to preserve the Patterson Farm. She stated if they proceed with this subdivision, they will have to change the number of acres listed on their sign. She stated they are depriving the Township residents of the only farm that the Township owns if they sell it. She feels once they parcel off this farm and the outbuildings, and then the main house and the outbuildings, the only thing that they will have left is a leaf dump. Mr. Fegley stated she is assuming that they are parceling out the other parcels which they have not indicated they are doing. Ms. Torbert stated she feels private ownership will mar the vision of the farm. She stated they will have to fence it off from the farm. Mr. Fegley asked if it is her position that private ownership does not result in historic preservation, and Ms. Torbert stated it is not; but she quoted the Township Master Plan and other articles that the intention of the Township was to preserve the farm.

Ms. Claudia Fontaine stated she worked at Howell Farm and this is an opportunity to do something different in Lower Makefield Township. She feels this is something that the Township could be proud of. Mr. Fegley stated this is exactly what they discussed for the Manor House.

Ms. Doane stated private ownership does not mean that you get historic preservation. She stated if the Township had not been in such a rush to get it in Township hands, it would still be farmed and it would look the way it did before. Mr. Fazzalore stated the Pattersons were talking to a builder about subdividing it. Ms. Doane stated while they were talking to him, the Pattersons never intended to sell it to a developer as they wanted it to remain a farm.

Mrs. Godshalk left the meeting at this time.

DISCUSSION OF ISSUES RELATING TO THE REVISED PLAN (#549) FOR  
FIELDSTONE (HARRIS TRACT)

Mr. John Mahoney, attorney, Mr. John Hako, engineer, and Mr. Jeff Gaul, Princeton Hydro, were present. Mr. Mahoney reviewed the history of the property. He stated in order to clean up the site, they need to develop the entire site and need certain Waivers. They are proposing constructing forty-three new homes and preservation of the existing home. Mr. Hako noted an area where they need to cross the wetlands. Mr. Garton stated the Applicant would like to know if they can cross the floodplain to gain access to the lots. Mr. Fazzalore stated provided the water flows correctly, he does not have a problem with this. There is an existing concrete pipe that would need to be replaced. This was acceptable to the Board.

Mr. Mahoney noted the proposed entrance on Edgewood Road where the angle is less than 90 degrees as required at the intersection. Mr. Fazzalore asked if the sight distance is good at this location, and Mr. Mahoney stated the Township engineer does want to look into this; however, wherever the road is moved, they will not be able to yield a 90 degree intersection for a distance of 75' up and down the road. It was the consensus of the Board that this would be acceptable provided there is sufficient sight distance.

Mr. Mahoney noted Lots #41 and #42 where they cannot meet the requirements because of the existence of Long Are Lane at its present location. Mr. Fazzalore stated because of these smaller rear yards, it could create problems with people not being able to use their rear yards. Mr. Mahoney stated they would put notice to this effect on the Plans. Mr. Fazzalore stated their literature must also make this clear to the prospective purchasers. Mr. Mahoney stated he does do lot disclosures. Mr. Garton stated they should not lose sight of the fact that they are trying to get rid of the landfill.

Mr. Mahoney stated there are a number of reverse frontage homes on Edgewood Road and they cannot meet the setback requirements. They would have to go to 90' in this area. Mr. Majewski stated this relates again to people not being able to add anything to their rear yards. He stated he feels they can move the homes back and still avoid the wetland buffer area.



Mr. Mahoney stated more than 30% of the total slope areas may need to be disturbed. He stated they need to get the number of homes they have proposed in order to pay for the clean up of the landfill.

Mr. Mahoney reviewed the plans to be submitted in order to have the site declared clean.

Mr. Garton stated tonight the only issues to be decided are whether the Board would be in favor of the Waivers being requested.

Mr. Mahoney noted Lots #24 and #25 which will also need a Waiver for rear yards.

Mr. Garton stated some of these items will have to go to the Zoning Hearing Board, but they wanted to make sure that the Board of Supervisors would not be in opposition.

Mr. Mahoney stated they are required to show all structures within 200' of the periphery of the site, and they hope that the aerial photo will suffice. Mr. Garton stated this is not an unusual Waiver.

Mr. Mahoney stated the other issues have to do with stormwater management, and Mr. Fazzalore stated they are very concerned with this. Mr. Mahoney stated the stormwater issues are design issues and they do not intend to put more water than permitted on adjacent sites. Mr. Fazzalore stated they must protect Brock Creek. Mr. Hako noted the location of the basins proposed on the Plan and to where they will discharge. Mr. Fazzalore asked if there will be a problem for the maintenance people having to maintain the basins as proposed. Mr. Majewski stated they are proposing to construct the type of basins that do not require extensive mowing. Mr. Hako stated the basins are relatively shallow and they cannot meet certain requirements as to depth in the basin. There is also an item related to the riser in the basin for which they will need relief. Mr. Garton stated the Township engineer must indicate that he is in favor of these issues, and the Board of Supervisors will not make a decision on these technical issues.

Mr. Hako stated they are also requesting relief from the 50% release rate. He stated there is a natural area of ten acres which will remain undisturbed other than the clean up. Mr. Fazzalore stated the Township engineer must review these issues.

Mr. Bernie Hayman, Long Acre Lane, stated he has been a planner for many years and this developer is asking for Variances to make his lot count work. He stated at the end of Long Acre Lane there are two catch basins that have been discharging effluent that has been ignored. Mr. Majewski stated the developer will have to review this. Mr. Hako noted the headwall is not on their property, and Mr. Majewski stated they have to go out and look at this to see if it is being trapped on the developer's property. Mr. Mahoney agreed that they will look into this matter.

Mr. Stephen Heinz, 1355 Edgewood Road, stated his property is 300' northwest of the proposed development. He stated when they discussed this at the Planning Commission they asked that there be consideration given to a gravity sewer line as was promised by the Township and the invert of the sewer connection they indicated could be installed be put on the Plan that would allow for gravity flow to his property. He stated the widening of Edgewood Road has not yet been discussed. He stated his neighbor, Mr. Tettermer, is also concerned about a tributary of Brock Creek and feels this flow should be addressed by the environmental engineer that is a consultant of the Township. Mr. Fazzalore stated the environmental engineer will review what they are going to do as far as the dump is concerned and they will ask him to look at what Mr. Heinz is requesting as well. Mr. Heinz stated the railroad is on the other side of the developer's property line and because of lack of lot depth, this results in a lack of buffering from the Railroad.

Mr. Santarsiero asked about the remediation of the landfill. Mr. Gaul showed the location of the landfill on the Plan. He stated they have been involved in this site since 1999. He stated they did sixty-four test pits to learn the extent of the fill. It was determined that the majority of the landfill was used for materials and construction equipment. They did find some household debris and soil was the major component of the material. There is 65,000 yards of waste material covered by a 24" layer of silt or topsoil material. They met with the State of Pennsylvania (DEP) to determine what they needed to do with the landfill. They did additional test pits on the property and found contamination was relatively low. There was a minor amount that would be higher than the residential standard. He reviewed the contaminants found which are typical for an area that has been farmed. They will have to prove that they are not impacting other wells. The intent of the project is to take out all the waste materials to the original soil in the landfill area. They will then do a screening process and separate the waste and material that could be placed back. They will test it every 300 cubic yards. The soil will be tested; and if it fails, it will be sent away and the good material will be used on the site.

Mr. Santarsiero asked about groundwater problems. Mr. Gaul noted the location of the monitoring wells. He stated they have come up well below the clean-up standards. They have placed some additional wells as directed by DEP and they received results back on these. One well which is down from a maintenance garage did come up with some constituents contributed to gasoline which he feels is localized. He stated they feel this has to do with an underground storage tank or they may have had a spill from their maintenance operation. They will continue to monitor this and will work with the DEP to get this resolved.

Mr. Fazzalore stated he feels Skelly & Loy should do the monitoring of the wells as well. Mr. Mahoney stated they have given these test results to the Township. Mr. Gaul stated the groundwater does flow toward the Creek.



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APPROVE RESOLUTION NO. 2060, BILL NO. 10-04 – DEDICATION OF  
DOLINGTON I, PHASE IV

Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to approve Resolution No. 2060, Bill No. 10-04 – Dedication of Dolington I, Phase IV subject to the condition that \$10,000 be preserved for improvements when PennDOT grants their permission.

ZONING HEARING BOARD MATTERS

It was agreed to leave to the Zoning Hearing Board the Richard and Mary Clara D'Andrea, 12 Spring Tree Lane, Variance request to construct a garage resulting in greater than the permitted impervious surface.

It was agreed to have the Solicitor appear in opposition to the Robert and Kathleen Widmer, 1213 Evergreen Road, Variance request to subdivide the property to allow a second B1 use on the newly-created lot.

SUPERVISORS' REPORTS

Mr. Fegley stated they had about six hundred fifty cars go through for the Hazardous Waste collection. They do not yet know the specific numbers on Township participation. Mr. Fegley thanked the County and DeLuca for their participation in this collection.

OTHER BUSINESS

It was agreed to postpone the following: Discussion of I-95 Loop Ramp Project and Appointment to Represent Lower Makefield Township at State Representative's Regional Traffic Planning Meetings.

It was agreed to postpone approval of Resolution No. 2059 authorizing a lease purchase agreement to obtain golf carts from Golf Cart Services as Mr. Fegley would not vote on this matter.

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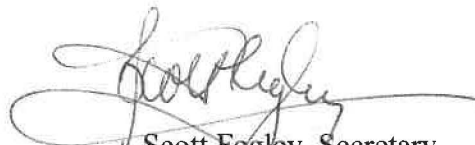
APPROVAL TO SELL OBSOLETE WEAPONS

Chief Coluzzi requested permission to sell obsolete weapons that are no longer of use to the Police Force. Mr. Fazzalore stated there was previous discussion on this, and they had indicated they did not want these weapons put back on the street. Chief Coluzzi stated most of these are shotguns and rifles.

Mr. Fegley moved, Mr. Santarsiero seconded and it was unanimously carried to authorize the sale of sixty-eight obsolete weapons to a Phoenix distributor for \$6,000 with the funds to be used to set up video cameras in the cell block and booking areas.

There being no further business, Mr. Fegley moved, Mr. Santarsiero seconded and it was unanimously carried to adjourn the meeting at 11:45 p.m.

Respectfully Submitted,



Scott Fegley, Secretary





# Township of Lower Makefield

## BOARD OF SUPERVISORS

Frank J. Fazzalore, Chairman  
Pete Stainthorpe, Vice-Chairman  
Scott I. Fegley, Secretary/Treasurer  
Grace M. Godshalk, Supervisor  
Steven J. Santarsiero, Supervisor

### MAY 2004 WARRANT LISTS AND APRIL 2004 PAYROLL COSTS FOR APPROVAL MAY 17, 2004 BOARD OF SUPERVISORS MEETING

5/03/04 Warrant List	\$ 951,087.43	
5/04 Manual Checks	0.00	
5/17/04 Warrant List	403,561.35	
Total Warrants & Prepaids		1,354,648.78
<u>PAYROLL COSTS:</u>		
April 2004 Payroll	343,713.11	
4/04 Payroll Taxes, etc.	26,294.06	
Total Payroll Costs		<u>370,007.17</u>
TOTAL TO BE APPROVED		<u>\$ 1,724,655.95</u>

