

**TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS MINUTES
MONDAY, AUGUST 18, 2003**

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on Monday, August 18, 2003. Chairman Godshalk called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 6:30 p.m. discussing personnel and legal matters.

Those present:

Board of Supervisors:

Scott Fegley, Supervisor
Grace Godshalk, Chairman
Wesley Hackman, Vice-Chairman
Frank Fazzalore, Secretary/Treasurer
Pete Stainthorpe, Supervisor

Others:

Terry Fedorchak, Township Manager
Jeffrey Garton, Township Solicitor
Jim Majewski, Township Engineer
Kenneth Coluzzi, Chief of Police

PROCLAMATIONS FOR GIRL SCOUT GOLD AWARD

Mrs. Godshalk, on behalf of the Board of Supervisors presented the 2003 Proclamations for Girl Scout Gold Awards to Ms. Jennifer Allan, Ms. Shannon McIntire, Ms. Lisa Mortensen and Ms. Victoria Oliver. Mrs. Godshalk gave a brief background of each young lady's accomplishments, presented the awards and then posed for a photograph for the Yardley News.

PUBLIC COMMENT

Mr. Fred Allan thanked the Township, Mr. Fedorchak and Ms. Linney for getting the girls softball fields into good condition for the next season. He stated other teams come to our Township for games and tournaments and have said it is a highlight to visit our softball fields.

Mr. Bill Taylor, 220 Coventry Lane, a friend of the Maher family, thanked the police department and the Township for their assistance with the funeral procession.

Ms. Hermann asked when the Township would have the Traffic Improvement Program list available to it for public viewing. Mr. Fedorchak stated the list would be available after Labor Day. Ms. Hermann stated she thought the list was to be released earlier than that date. Mr. Fedorchak stated an extension was granted.

Ms. Torbert asked Mr. Fedorchak if he has heard any news from PennDot about the final design of the I-95 ramp. Mr. Fedorchak stated that he would have an update for the next meeting. Ms. Torbert stated she cannot access past agendas on the Township web-site and asked if this is a technical problem. Mr. Fedorchak stated the Township's e-mail system has been shut down since Tuesday of last week. He stated as soon as the e-mail is fixed Ms. Torbert should contact Ms. Katrina Krulla in the MIS department to get instructions on how to access past agendas.

APPROVAL OF MINUTES

Mr. Fegley moved, Mr. Hackman seconded and it was unanimously carried to approve the Minutes of August 4, 2003 with changes. Mrs. Godshalk noted that she wanted to add a clarification to the August 4, 2003 minutes, the section of Appoint Boucher & James, Inc. to Perform Engineering Services for Memorial Park and to the minutes tonight that the \$89,000 grant is to be used for the memorial only not Memorial Park.

APPROVE AUGUST 4 AND 18, 2003 WARRANT LISTS AND JULY PAYROLL

Mr. Fazzalore moved, Mr. Hackman seconded and it was unanimously carried to approve the August 4 and 18, 2003 Warrant Lists and July payroll as attached.

AWARD BID FOR CONSTRUCTION OF THE GOLF COURSE CLUBHOUSE AND SITE WORK

Mr. Arterburn of The Rainmaker Group and Mr. Bill Taylor, consultant, were present at the meeting. Mr. Hackman stated the Township went out to bid the clubhouse, pump house and maintenance building in March 2003. He stated the bids received were incomplete and very high and the Township rejected the bids. He stated then the bids were split and the pump house is being built by Wadsworth and the maintenance building bid was accepted and being built by another contractor. Mr. Arterburn stated the Township re-bid the project with changes. He stated the site work and clubhouse were combined into one bid. Mr. Arterburn stated the second round of bids were received on July 24th. He stated the Township received 4 bids each from general contractors and HVAC and 3 bids each for plumbing and electrical work. Mr. Arterburn stated he and the Township reviewed the bids and have compiled a list for the Board of the contractors who were the lowest and met the Township's criteria.

Mrs. Godshalk asked why the electrical bids have a notation to remove the fixture package. Mr. Arterburn stated the electrical fixtures produced by a certain manufacturer chosen by the architect are difficult to find in this area and the Township agreed to choose an alternate manufacturer.

Mrs. Godshalk asked how these new bids compare to the first set of bids received. Mr. Arterburn stated the bids were more complete the second time but could not compare the amounts because the bids were structured differently the second time.

Mr. Fazzalore noted that the clubhouse, site work and maintenance building are \$723,000 over budget. However, the Township has a contingency of \$416,000 and a saving and interest expense of \$678,000 to offset the cost of the clubhouse, maintenance building and site work, leaving the Township with a contingency of \$138,000.

Mrs. Godshalk asked if the Board had any comments before they voted.

Mr. Hackman moved and Mr. Stainthorpe seconded to award bids for construction of the golf course clubhouse and site work as follows:

- a. Contract to construct clubhouse to Little Builders in the amount of \$1,458,085;

- b. Contract for electrical work to MJF Electrical in the amount of \$284,895;
- c. Contract for mechanical work to Hampton Mechanical in the amount of \$184,000;
- d. Contract for plumbing to RF Boundurant in the amount of \$89,698;

Mrs. Godshalk asked what the square footage of the clubhouse would be. Mr. Arterburn stated the clubhouse would be 10,000 square feet including cart storage. Mrs. Godshalk asked if there were any questions from the public.

Mr. Fazzalore amended the motion to include the total of all contracts awarded is \$2,016,678. The motion carried four votes yes and one abstention by Mr. Fegley.

Mr. Hackman introduced Mr. Jeffrey Damcott who will be the Superintendent of Makefield Highlands Golf Course. Mr. Hackman stated that the irrigation has been hooked up at the golf course and the well pumps would be working in a few days.

Mr. Sam Conti of Sutphin Road asked if there is an inclusion for selling or dispensing of alcoholic beverages in the clubhouse. Mr. Hackman stated there would be a serving area for food and beverages but no bar or plumbing to dispense alcoholic beverages.

Ms. Virginia Torbert asked if the contracts specify a guaranteed completion date or bonus to complete the clubhouse and site work early. Mr. Arterburn stated that the clubhouse contract has a clause that the clubhouse must be built within 240 days from the start date or there would be a penalty imposed if the contractor does not complete the clubhouse on time. Mr. Hackman stated the Township's goal is to have roof on the clubhouse by the winter.

Mr. Pat Miller, 1664 Del Rim Road, stated he is worried about water run-off from the golf course going to the drainage easement on his property and turning his backyard into a swamp. Mr. Garton stated that the dominant property owner cannot channel or change the flow of water and the easement is governed by the easement instrument versus the general common law. He stated that water couldn't go beyond the easement. Mr. Garton stated he needs to review the easement. Mr. Stainthorpe stated the Township would look out for the best interests of the homeowner. Mr. Miller asked who would be responsible if his property is damaged because of water runoff from the golf course. Mrs. Godshalk stated the Township would be responsible. Mrs. Godshalk asked if the public had any further comments.

AWARD BID TO REPLACE FUEL DISPENSER WITH A DIESEL FUEL UPGRADE

Mr. Fedorchak stated that in order to meet government vapor recovery standards, the Township must replace 2 gasoline dispensers. Mr. Coyne of the Parks and Recreation Department recommended that the Township bid the project to Bayard Pump & Tank for \$20,538. In addition, the diesel fuel dispenser needs to be replaced at a cost of \$6,638 for a total of \$27,171. Mr. Fedorchak stated it is the recommendation of Mr. Coyne to replace all 3 dispensers at this time.

Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to award the bid to replace 2 gasoline dispensers and 1 diesel dispenser to Bayard Pump & Tank in the total amount of \$27,171.

AWARD BID FOR REPLACEMENT OF MANHOLES ADJUSTMENTS

Mr. Fazzalore moved, Mr. Hackman seconded and it was unanimously carried to award the bid for replacement of manholes to LC Costa Contractors, Inc. in the amount of \$41,025.

APPROVAL OF D'AMATO DEVELOPMENT AGREEMENT WITH MBR HOMES

Mr. Stainthorpe moved and Mr. Fazzalore seconded to approve the D'Amato Development Agreement with MBR Homes (Ryan Homes).

Mrs. Godshalk asked who D'Amato is. Mr. Garton stated that D'Amato is the original property owner. Mrs. Godshalk asked where the development is located. Mr. Majewski stated that the development is located on Stony Hill Road and Oxford Valley Road called the Woods at Makefield. Mrs. Godshalk asked if the cul-de-sac off of Long Meadows Drive would be opened. Mr. Garton stated yes.

The motion carried unanimously.

Mrs. Godshalk stated she would like to know the location any property relating to Zoning, Inspections and Planning matters that the Board is voting on in advance of the meeting. Mr. Fedorchak stated that he would make note of that for the future.

GRANT EXTENSION OF TIME FOR CHANTICLER PRELIMINARY SUBDIVISION

Mr. Stainthorpe moved, Mr. Hackman seconded and the motion was unanimously carried to grant an extension of time for the Chanticleer preliminary Subdivision to December 6, 2003.

DENY DEDICATION OF MILL ROAD ESTATES, DOLINGTON ESTATES II AND DOLINGTON ESTATES I PHASE IV

Mr. Stainthorpe moved, Mr. Fazzalore seconded to deny dedication of Mill Road Estates, Dolington Estates II and Dolington Estates I Phase IV.

Mr. Mark Marcune asked what does dedication mean. Mr. Garton stated that the streets in those developments are not up to standard by the Township for the developer to leave the roads in prior to paving.

The motion carried unanimously.

TABLE REQUEST FOR DEDICATION OF ESTATES AT PEBBLE CREEK

Mr. Fazzalore asked if anything has been done about the drainage problem in this development. Mr. Garton stated that Mr. Williams is working on a solution with the developer.

Mr. Fegley moved, Mr. Stainthorpe seconded and the motion was unanimously carried to table the request for dedication of the Estates of Pebble Creek until the next meeting.

ZONING HEARING BOARD MATTERS

The John Grussler, 862 Oakhill Lane, Variance request to construct a deck within the flood plain was noted and the Board decided to leave this matter to the Zoning Hearing Board.

The Michele and Charles Tate, 170 Pine Cone Drive, Variance request to construct a 4 foot high fence in their front yard was noted and the Board decided to leave this matter to the Zoning Hearing Board.

The Lee and Amy Jumbelic, 444 Lenape Lane, Variance request to construct an addition resulting in greater than permitted impervious surface ratio was noted and the Board decided to leave this matter to the Zoning Hearing Board.

The Joe Ordini, 1043 S. Kimbles Road, Variance request to construct fence and plant trees in an easement ratio was noted and the Board decided to leave this matter to the Zoning Hearing Board.

The Harry Hart, property at west of Robinson Place, east of the Delaware canal, several Variance requests to construct a home within the floodplain was noted and the Board decided to leave this matter to the Zoning Hearing Board.

The Michael Ranniello, Arborlea Extension Lot No. 7, several Variance requests to construct a single-family home within the floodplain was noted and the Board decided to leave this matter to the Zoning Hearing Board.

The Michael Ranniello, Arborlea Extension Lot No. 6, several Variance requests to construct a single-family home within the floodplain was noted and the Board decided to leave this matter to the Zoning Hearing Board.

SUPERVISORS REPORTS

Mr. Fazzalore, Mr. Stainthorpe and Mr. Fegley stated they had nothing to report.

Mr. Hackman stated that he was at the golf course this week and took some pictures of the bunkers being constructed and the grassing of the 1st hole.

Mrs. Godshalk stated that the deadline for the newsletter is fast approaching and urged the Board the get their articles in for publication. Mrs. Godshalk stated that the Garden of Reflection Committee met with Boucher & James, Inc. on August 5th and would have another meeting with the Committee on September 25th to discuss plans for Memorial Park.

APPROVE RESOLUTION NO. 2039 AMENDING 2001 TO 2006 WINTER TRAFFIC SERVICES AGREEMENT BY DELETING EDGEWOOD ROAD

Mr. Hackman moved, Mr. Stainthorpe seconded to approve Resolution No. 2039 Amending 2001 to 2006 Winter Traffic Services Agreement with PennDot by deleting Edgewood Road. Mr. Hackman noted that the Township took over Edgewood Road.

The motion carried unanimously.

Mr. Fazzalore asked when the 25 M.P.H. signs would be installed. Mr. Fedorchak stated that work orders were submitted to the Park & Recreation Department. Mrs. Godshalk stated that it is important to have the 25 M.P.H. signs up as soon as possible.

Mrs. Godshalk noted that there would not be a meeting the first Monday of September due to Labor Day.

There being no further business, Mr. Fazzalore moved, Mr. Stainthorpe seconded and it was unanimously carried to adjourn the meeting at 8:35 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Frank Fazzalore".

Frank Fazzalore, Secretary

McBRIDE AND MURPHY

ATTORNEYS AT LAW
POST OFFICE BOX 1186
NEWTOWN, PA 18940

(215) 598-7131
Fax (215) 598-3231
E-Mail - EPMURPHY@VOICENET.COM

RICHARD P. MCBRIDE
EDWARD F. MURPHY
NANCY J. WRIGHT

VILLAGE AT ANCHOR CROSSING
SUITE 22
ROUTES 413 & 232
NEWTOWN, PA 18940

August 5, 2003

SENT VIA FAX

Ms. Nancy Frick, Director
Zoning and Planning
Lower Makefield Township
1100 Edgewood Road
Yardley, PA 19067

Re: **Chanticleer - Preliminary Subdivision Plans**

Dear Nancy:

As a follow up to our telephone discussion of yesterday afternoon regarding the above, please accept this letter as the grant by the Applicant of the above referenced project of an extension of time to Lower Makefield Township until December 6th, 2003 to consider the merits of the preliminary subdivision plans that are currently pending.

EXPIRATION DATE 8/8/03
EXPIRATION DATE 12/6/03

FILE
541

COPY TO
TSF
8/5/03



Township of Lower Makefield

BOARD OF SUPERVISORS

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

AUGUST 2003 WARRANT LISTS AND JULY 2003 PAYROLL COSTS FOR APPROVAL AUGUST 18, 2003 BOARD OF SUPERVISORS MEETING

08/04/03 Warrant List	\$ 172,810.63	
08/03 Manual Checks	3,020.00	
08/18/03 Warrant List	1,385,611.66	
Total Warrants & Prepays		1,561,442.29
<u>PAYROLL COSTS:</u>		
July 2003 Payroll	352,111.48	
07/03 Payroll Taxes, etc.	26,936.53	
Total Payroll Costs		<u>379,048.01</u>
TOTAL TO BE APPROVED		<u>\$ 1,940,490.30</u>

