

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
SEPTEMBER 7, 2011

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 7, 2011. Chairman Caiola called the meeting to order at 7:30 p.m. Mr. Smith called the roll.

Those present:

Board of Supervisors: Greg Caiola, Chairman
 Pete Stainthorpe, Vice Chairman
 Ron Smith, Secretary
 Dan McLaughlin, Treasurer
 Matt Maloney, Supervisor

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

PUBLIC COMMENT

Mr. Harold Koopersmith, 612 B Wren Song Road noted the prior discussions about the Patterson Farm when Mr. Fedorchak had indicated it would cost \$500,000 to renovate the Farm. He stated there is also a group who wishes to preserve the Farm; however, these are not normal times and people do not want their taxes raised. He stated until the Country gets “fixed”, the Board of Supervisors has no money. He stated he does not feel the Supervisors should be put under pressure since they do not have the \$500,000 and will not be able to get it until the economy is fixed.

Mr. Ron Schmid, 2 Fenwood Place, commented on the recent natural disasters. He stated a PECO representative indicated that while there were recent scattered power outages, it could get worse and added that fallen tree limbs are the single biggest cause of power outages; and with the ground already saturated, there could be more widespread outages. Mr. Schmid stated Lower Makefield is good at emergency preparedness, but power outages are very disruptive and outages in Lower Makefield Township are not unusual. He suggested that the Board meet in person with representatives from PECO to have a comprehensive discussion as to how they can minimize future power outages in Lower Makefield Township. Mr. Caiola stated they are aware of areas in the Township where outages occur for no particular reason. He stated Mr. Fedorchak already has a good relationship with PECO, and one of the Supervisors may wish to work with him and PECO on some of these issues. Mr. Smith agreed that they should get more proactive. Mr. Maloney stated they have discussed this previously, but did not take any action; and he agrees they should work with PECO.

Ms. Amy Hampel, 1224 Quarry Commons Drive, and Ms. Denise Trimble, 597 Barn Drive were present. Ms. Hampel stated they would like to raise awareness about a walk for hearing to be held in Ridley Park, and they are looking for support for those with hearing loss. Ms. Hampel stated the Bucks County Intermediate Unit (BCIU) is working with them, and a portion of any donations could support the BCIU who works with those with special needs. Mr. Stainthorpe suggested they contact the Township Manager to get their information put on the Township Website and TV channel. Mr. Smith introduced them to Ms. Lisa Huchler-Smith, from the Disabled Persons Advisory Board, who was present in the audience this evening.

Mr. Ralph Nuzzolo, 628 Stony Hill Road, expressed concern with the “no-mow” policy for the Chestnut Woods drainage basin. He stated when that basin was constructed over twenty years ago, there was to be rip-rap in the main water channel; but this was never done, and grass was planted. He stated there had never been an issue because the drainage basin was well maintained, the grass was cut, the water flowed freely in and out of the basin, and there was no collection of water. He stated with the institution of the “no-mow” policy of which this basin has become a part, the basin has been allowed to go wild; and there are a series of emerging noxious weeds including thistle, and the perimeter of the basin is surrounded by poison ivy. Mr. Nuzzolo stated the inlet is surrounded by trees, and where the water exits the basin, there are several branches. Mr. Nuzzolo stated he feels the efficiency of the basin has been compromised. Mr. Nuzzolo stated his main concern is with the number of ticks and mosquitoes. He stated there is already a documented case of West Nile Virus in Bucks County, and pets going into the basin could get ticks which will come into the houses in the community. Mr. Nuzzolo stated he understands the Budget constraints; but in the event that certain decisions start to compromise the general welfare of the community or the potential for risk, he feels the measure of success of the “no-mow” program that Mr. Fedorchak discussed at the May 4 meeting is compromised. He stated he does not know what the environmental positives are. Mr. Nuzzolo stated he is sure that if he were to allow his property to go “natural,” his neighbors would come before the Township complaining about his property; and he would be advised by the Township to fix the problem. Mr. Nuzzolo stated he would not do this because he wants to be a good neighbor, and he asked that the Township be a good neighbor as well and go back to maintaining this property as they have in the past. He stated at a minimum, someone must go out and clean out the debris. He stated he did contact Mr. Fedorchak about this, but he did not get a response from him as to the outcome of the inquiries he had made of him.

Mr. Caiola asked Mr. Fedorchak to look into this and get back to the Board.

Mr. Fedorchak stated he had asked his staff to look at this situation and come back with some alternatives, and he will follow up on this.

Mr. Smith asked if the entire basin is being allowed to grow, and Mr. Nuzzolo stated the upper perimeter of the basin is cut on a regular basis, but about 80% of the basin is left unattended. Mr. Smith stated the EAC had discussed the positive environmental aspects of this program. Mr. Smith asked Mr. Fedorchak if Public Works alone does the cutting or do they also hire outside contractors, and Mr. Fedorchak stated they use both Public Works and outside contractors. Mr. Smith stated he has heard some complaints that there is no uniformity in that some basins are completely mowed, some have a swath cut around them, and that certain contractors may be doing a better job than others. He asked that there be a re-assessment from time to time to see if the work is being done correctly.

Mr. Maloney stated the Plan was that only some of the basins would be treated in this manner because they did not want to do them all at once as they wanted to experiment with the program and phase it in over time. Mr. Fedorchak stated over half of the Township basins are still fully mowed. Mr. Nuzzolo stated while the mowing is one aspect, the general maintenance of the basin with respect to clearing out debris, tree limbs, and yard waste is important. Mr. Fedorchak agreed that this should be done and has nothing to do with the “no-mow” program; and it is the Township’s responsibility to clear out the debris. Mr. Maloney stated they also received an e-mail about this expressing concerns about mosquitoes and ticks. He stated the EAC had indicated that these naturalized basins would encourage the type of creatures that would prey on ticks and mosquitoes; and to the extent that this is not working, he feels they should engage someone to look into this.

Mr. Smith asked Mr. Fedorchak if they have done a critique of the program; and Mr. Fedorchak stated they evaluate it every year, and there is a certain amount of contact that they have with the residents who abut the basins to get their thoughts about what they are doing. Mr. Fedorchak stated approximately 30% to 40% of the Township basins are not being fully cut. Mr. Smith stated they must find out if they are doing this right. Mr. Stainthorpe stated when this was first proposed by the EAC, it was not to let them go to weeds, but to let them go natural which he assumed would be wildflowers, reeds, etc. which would have been aesthetically pleasing and improve the groundwater recharge; but if this is not what is happening, they need to consider this further.

Mr. McLaughlin asked the number of complaints the Township receives about the basins, and Mr. Fedorchak stated they do not get many complaints. Mr. Fedorchak stated the staff is looking to see if the basin under discussion is a suitable basin for a wildflower program as an alternative. Mr. Nuzzolo stated the basin still needs to be maintained, and Mr. Fedorchak agreed. Mr. Nuzzolo stated if it is to go natural, something must be done with the water channel so that weeds are kept out of the main watercourse running through the basin. He stated currently there is a pooling of water as a result of the debris that has collected at the bottom of the basin. Mr. Fedorchak agreed to look into this.

Mr. Jeff Benedetto, 22 Greenridge, stated following the last meeting he reviewed the Minutes from 2010 regarding the Patterson Farm, and there was an extensive discussion on April 7, 2010 about leasing the Patterson Farm property; but the decision was made at the May 5, 2010 meeting to “instruct the Township solicitor to investigate Zoning issues and to work on preparing the necessary documentation in preparation for the possible sale of the Satterthwaite House parcel and also work on documentation to include easements and restrictions on the use of that property.” He stated it also indicated that “Mr. Smith stated at this point they are only going to investigate the possible sale and what restrictions there are regarding Zoning and use of the property.”

Mr. Caiola stated this matter will be on the Agenda later this evening for discussion.

Mr. Benedetto stated he lost power in his neighborhood near Silver Lake, and he has heard from neighbors about the neglect of the trees in the common areas which they feel is unacceptable as it is the Township’s responsibility. He stated these were not just branches, but trees falling over. Mr. Benedetto stated they understand Budget constraints, but it actually costs more to fix these problems. Mr. Stainthorpe asked how many trees came down on Township-owned property, and Mr. Fedorchak stated he does not have hard numbers, but it was not that many relative to the total number of trees that came down. He stated there are many trees which are in rights-of-way, and these are not the Township’s responsibility but are the responsibility of the property owners. He estimated that the total number of trees that came down that were Township-owned were approximately 2% to 5%.

Ms. Gudrun Alexander, 256 S. Fieldstone Court, stated she has a basin behind her home; and while it is not cut, the environmental impact is that the water is filtered. She stated she does go into the basin periodically and clean it out. She stated while some of her neighbors have complained about mosquitoes, she has not found that to be a problem. She stated she feels they should plant wildflowers, and she did some of this herself although the weeds took over. She is in favor of natural basins, but they need to be maintained. Ms. Alexander stated she had previously complained about trees leaning over on Bluestone Drive, and the Township took care of this.

Ms. Lisa Huchler-Smith stated she lives in Kimble’s Field where they have a beautiful retention basin which has cattails, birdhouses, etc., although she agrees that the basins need to be maintained.

Ms. Smith stated the Disabled Persons Advisory Board is working with Emergency Management under Chief Coluzzi’s direction. She stated they maintain a list for the 9-1-1 data base. She stated currently they have 91 residents that have completed a form which is updated periodically. She asked that those who have not returned their forms to do so. She stated this list is useful for first responders – police, fire, and first aid; and if there is a special situation in the home, the first responders would be aware of this if a

9-1-1 call comes in. Ms. Smith stated they are also working with the Seniors, and she will attend the Senior Fair to be held in October, and will also try to get information about this in the newspapers. She stated they are also working with the Veterans Committee to get this information out to the Veterans. She stated there is also information about this program on the Township Website. She encouraged those with questions to contact the Disabled Persons Advisory Board at dpab@lmt.org or call the Township Building.

Mr. Caiola stated when the power goes out some Township residents with special needs could have a serious problem, and he asked if it is known how those residents fared over the recent power outages. Chief Coluzzi stated they do check the list of disabled persons in the Township so that they can send police or paramedics to those locations. He stated the Emergency Operations Center always puts out a message when there is a storm warning or other serious event that residents should contact the Emergency Operations Center if they have a special need, and they provide the number to call.

Ms. Smith stated she understands that the emergency shelter was at William Penn, and she asked if they had power through a generator; and Chief Coluzzi agreed that the Red Cross and the School Board does set up emergency generators if there is an outage. Ms. Smith stated people may need electricity when there is an outage, and she would like to make sure that the emergency shelters have electricity. She noted that there was an individual who needed an electrical outlet in order to do some treatments, but the outlets were not working at William Penn. She stated at the emergency shelters, they should have enough outlets at those locations to provide for people who need electricity for breathing apparatus, etc. She stated they may need to move the shelter to some place that has electricity. Chief Coluzzi agreed to work with the Pennsbury School District who takes care of the shelters, and with the Red Cross who staff the shelters.

Mr. Ken Seda, 912 Weber Drive, stated the Township is currently considering construction of a Community/Senior Center; and it may be an option to consider outfitting that building in some capacity as an emergency shelter. Mr. Seda stated he feels they should also look into ways the Township could communicate with the residents about the status of emergency situations so that there can be a more specific response from PECO about the duration of outages. Chief Coluzzi stated PECO actually restored power much quicker than they had anticipated that they would. He stated it would be impossible for the Township to give out specific information about individual neighborhoods as PECO may fix a problem in a particular area but might also have to shut down a grid to fix the problem in an adjoining neighborhood. He stated he feels PECO did an excellent job and they were very cooperative. Chief Coluzzi also noted the Ready Notify PA system which sends messages out to the residents. He stated they did send out voluntary evacuation notices to those along River Road when they felt that the River was going to come up. Chief Coluzzi stated he has discussed this for over two years, and to date only 500 to 600 residents have signed up on Ready Notify PA, and he encouraged everyone to do so.

Mr. Smith stated that the Township Manager was on the phone constantly with PECO and did everything possible to make sure that PECO was working in Lower Makefield Township.

Mr. Neil McKeon, 1474 Overlook Road, stated he represents fourteen residents in the Yardley Oaks community who have submitted a complaint about a resident in their community who has been using her home as a boarding house for the past two years. Mr. McKeon stated they filed the complaint with the Zoning Office approximately two months ago, and they understand that the resident is now applying for a Special Exception for medical reasons to allow boarders in her home. Mr. McKeon stated the property has been advertised as a rental property on Craig's List with up to six rooms available for rent. Mr. McKeon stated this is a four-bedroom house where a mother and adult son already reside. He stated they oppose the Township granting the Special Exception and are asking the Township Supervisors to provide oversight on this matter and the Township solicitor to become involved on their behalf.

Mr. Stainthorpe stated the Board of Supervisors has no direct authority over the Zoning Hearing Board other than appointing the members of that Board. He stated if the Board of Supervisors is not in favor of any decision the Zoning Hearing Board makes, the Board of Supervisors must Appeal that decision to the Court. He stated the reason this is set up in this way is to keep politics out of Zoning matters. Mr. Stainthorpe stated the residents should attend the Zoning Hearing Board meetings when this matter is heard and request Party Status so that they can make testimony. Mr. Stainthorpe stated the Board of Supervisors will have the Township solicitor involved as well. Mr. Stainthorpe stated if the Zoning Hearing Board rules against the resident, the Code Enforcement Officer and Township solicitor will get involved to insure that the operation is shut down.

Ms. Lise DeGuire, 1491 Overlook Road, stated she lives next door to the property, and the residents did submit a Township complaint form to the Township on July 8 and requested oversight of this matter. She stated the owner of the property indicated she was not in violation, but the Township disagreed; however, Ms. DeGuire stated there has been no further oversight. She stated the Township staff has advised the residents that they do not have any power to enforce this. Mr. Truelove stated he will look into this further with the Code Enforcement Officer on the status and get direction from the Board of Supervisors to pursue the appropriate action. Mr. Maloney stated if they do not have a Special Exception, and they are in violation, there are enforcement mechanisms, although the resident in question could Appeal this. Ms. DeGuire stated they know from the Craig's List ad that there has been construction in the basement of at least two bedrooms, and she does not feel any Permits were drawn. She stated she feels they are in violation of fire safety laws.

Ms. Virginia Torbert thanked the Township Manager, the Police, Mr. Smith, and Mr. Caiola for their quick action in rectifying the situation with the railroad crossing by the Township Building. Ms. Torbert stated if this situation were to occur again, she feels that it would be helpful if there were a sign indicating that the lights and signals are not working which would alert drivers to the fact that a train could be coming and the signal arms would not come down.

On behalf of the Citizens Traffic Commission, Ms. Torbert announced that they are working with LIFT and the Pennsbury School District to bring the Save-A-Life Tour to Pennsbury High School East on October 29. She stated they will have three different sessions of this safe driving event.

Ms. Jackie Vannozzi, 496 Jenny Drive and Ms. Kris Tyler, 548 Jenny Drive, were present. Ms. Vannozzi stated they are present on behalf of Ashley Estates a community of fifty-nine homes between Heritage Oaks and Stony Hill Road. She stated approximately two years ago the residents of the community worked together and with their own funds and grants, they were able to beautify their entrance off of Stony Hill Road. She stated this could not have been done without the support of the Board of Supervisors and the Township Manager who allowed them to do the work. She extended an invitation to the dedication ceremony to be held on September 17 at 2:00 p.m. She stated they are working with a number of other neighborhoods to do the same thing.

APPROVAL OF MINUTES

Mr. Smith moved and Mr. Stainthorpe seconded to approve the Minutes of August 17, 2011 as written. Motion carried with Mr. Maloney and Mr. McLaughlin abstaining.

APPROVAL OF RESOLUTION NO. 2233 DECLARING A STATE OF EMERGENCY IN LOWER MAKEFIELD TOWNSHIP AS A RESULT OF HURRICANE IRENE

Mr. McLaughlin moved, Mr. Maloney seconded and it was unanimously carried to approve Resolution No. 2233.

DISCUSSION AND MOTION ON STRUCTURING DEBT SAVINGS

Mr. Gordon Walker was present and stated what is being discussed are the same numbers that were discussed in August. He stated they have the rate, Bond attorneys, and a sale date scheduled for two weeks from today. He stated the remaining item is to decide where they would like to realize the savings. There was discussion over how prior

refinancings were structured. Mr. Walker reviewed the four Options. He stated Option 1 is the upfront savings which gives a savings of \$600,000; and they have put as much as they could in 2012 of approximately \$400,000, the rest in 2013, and breaking even thereafter. He stated Option 2 would spread the savings over three years – 2012, 2013, and 2014 which is a \$600,000 savings or \$200,000 reduction in debt service per year. Option 3 is to take a level annual savings. He stated currently they have the Moody Rating A1; but when Moody looks at the Township again, they would prefer either Option 3 or Option 4, although this would not be a big factor in the rating. He stated they would probably prefer Option 4 which would shorten up the debt and realize the most savings in total, although the taxpayers get no benefit for a number of years. Mr. Walker stated with Option 3, there would be a level annual savings of approximately \$40,000 a year which would result in a savings of over \$800,000. Mr. Walker stated Option 4 would defer the savings to the end and shorten up the 06 issue two years with a savings of over \$1.3 million. Mr. Walker stated they are using the bond yield which is standard in their industry.

Mr. Walker stated this will be an Internet Auction to be held beginning 11:00 a.m. on September 21.

Mr. McLaughlin asked if this is the last Bond they could refinance, and Mr. Fedorchak stated it is. Mr. Walker stated this is true until another call date comes up. He stated there are some floating rate issues, but the one being discussed this evening is the last one in the foreseeable future. Mr. Maloney stated if the rates would begin to climb rapidly, they would want to lock in the variable bonds, but he does not feel they should do this now.

Mr. Maloney stated he feels Option 4 would be preferable as it would get the greatest value for the dollar, and it would shorten the debt period. He stated he would also be in favor of Option 3 as he feels there may not be Board support to proceed with Option 4.

Mr. Stainthorpe stated he would prefer Option 1 so that they get the savings up front. He stated these are uncertain times, and he knows that there is a pressure on now to save money. He stated they are reluctant to raise taxes, and he feels the best benefit to the taxpayers for the foreseeable future is to take the savings up front.

Mr. McLaughlin stated the Road Program has become an issue, and they have been told that they are “short-funding” the Road Program. Mr. McLaughlin stated while he agrees with Mr. Maloney as a “finance person,” as a Supervisor he would like to be able to fill the gap in the Road Program with these savings, and he would be in favor of Option #2.

Mr. Stainthorpe stated they continue to have issues with the Transfer Tax and other items short term where he feels that they will need help. Mr. Maloney stated he agrees, but he is concerned that the jump in expenses in two to three years will be even bigger.

Mr. Caiola stated he would prefer Option 2 or Option 3 since there are acute needs the Township needs to address.

Mr. Smith stated he is hopeful that additional funds will be picked up from the Matrix project. He stated he would be in favor of Option 2 or Option 3 although he does recognize Mr. Maloney's concerns.

Mr. Joe Menard, Citizens Budget Committee, asked what Bonds are being refinanced, and Mr. Walker stated this is the 2006 issue which was primarily for sewer although some was refinancing of a prior issue. He stated currently there is \$8.045 million outstanding. Mr. Menard stated since these are Sewer Bonds, this would not address roads or other General Capital Fund improvements. He stated the majority of the savings would go to the Sewer Fund. He stated he feels they should look at the needs of the Sewer as they make the decision in terms of what Option to take. Mr. Smith stated the Sewer Rates have gone up over the last few years, but they also want to keep some stability in the Sewer Rates as well. Mr. Menard stated there has been discussion about roads, but this issue does not impact that since the Capital Funds will stay within the Sewer and not used for General Fund purposes.

Mr. Fedorchak stated they are about to head into a major sewer extension project in Edgewood Village; and although they have established a Sewer Capital Reserve Fund to pay upfront for that project, it will be close to exhausting everything that they have in the Fund. He stated over the course of time, they will be able, through assessment, to recoup some of the investment; but in the short term over the next three to four years, he does have a concern that once DEP mandates under the Act 537 Plan that they extend sewers into other areas, there may be a temporary shortfall so it would be an advantage to have the money up front.

Mr. Walker stated with regard to the 2006 issue, it was \$9.580 million; and the amount of refinancing of the 03 Bonds was \$2.4 million and \$7 million was new money which was mostly for sewer.

Mr. Stainthorpe moved and Mr. McLaughlin seconded to accept Option 2.

Mr. Zachary Rubin, 1661 Covington Road, stated Mr. Walker previously discussed the Golf Bond refinance, and he feels that should be considered along with this. Mr. Rubin stated in 1996 when the Township was considering condemning the farm by eminent domain and creating the Golf Course, they engaged THK Associates to do a Golf Course Market Analysis. He stated in that Analysis they took a figure of about \$12.5 million as a Bond Issue at 5.5% for twenty-five years, and based their figures on that. Mr. Rubin stated they indicated in the Report that the first one and a half years of the Bond should be interest-only payment as there was no revenue coming in and there would be construction costs; but after that, they should be paying down principal. He stated they came up with a projection that the first five years would not be profitable; but after the fifth year with paying for the expenses of the Course including paying down principal and interest, in the sixth year it would become profitable. Mr. Rubin stated the report indicated that by the tenth year with paying down principal and interest, the net income would be \$1.5 million and by the eleventh year over \$2 million. Mr. Rubin stated in 2001 the Township engaged a firm to do a Feasibility Analysis which was to determine the greens fees, and they based their figures on a loan of \$13.2 million; and they came up with the projection that after the stabilization period of five years, by the sixth year the Golf Course would start becoming profitable with a net operating income of over \$1 million to the Township.

Mr. Rubin stated five years ago the Township refinanced the original \$16 million bond and about one half of it is fixed and one half is variable. Mr. Rubin stated this is the most favorable climate to refinance, and he feels it is time that they start paying down the principal of the Golf Course. Mr. Rubin stated at least half of it is variable, interest-only loan. Mr. Rubin stated Mr. Walker had indicated that they are paying about 1% interest-only; and if they went to a fixed rate, it would be over 3%. Mr. Rubin stated he feels they should consider paying down the Note. He asked the Board to consider refinancing the interest-only loan on the Golf Course Bond.

Mr. Walker stated originally the entire Golf Course debt had a variable rate, but in 2005 they paid off the early maturities when they did the 05 issues and effectively fixed those maturities. He stated last year because five years were up and the 05s were callable, they refinanced. He stated Lower Makefield is paying principal on the Golf Course, but they are not paying principal on the varying rate piece. Mr. McLaughlin asked the current variable rate, and Mr. Walker stated it is .88%. Mr. Walker also stated that the Fed recently indicated that they were going to keep rates low for two years so the .88% will continue for an extended period of time. Mr. McLaughlin asked why they would give the money back faster than they need to if they are borrowing money at only .88%.

Mr. Rubin stated while he agrees that the variable is lower than the fixed, for half of the Note, the principal is not being paid down. He stated the reason the Township condemned the farm was because they saw it as a “cash cow.” He stated he feels they

should start paying down more than 50% of the outstanding debt. He stated when the projections were done, they were done at over 5.5% so this is the climate to do it. He stated he feels they should start paying down all the principal and not just 50% of what is outstanding.

Mr. Walker stated they are paying a normal amortization like a mortgage. He stated they are paying principal on the 2010s; and when they get paid off, they are paying principal on the rest which currently is variable. He stated it is a normal amortization of principal and interest it is just that half of the interest stream is variable at .88% and the other half is whatever the 2010 deal sold at which is approximately 3%. He stated he feels it is a good business practice to have some variable rate debt and some fixed because if the economy does get worse, the rates will not jump; and there is a lot of reasons to believe that we could be in a worse recession in a couple of years than we are now. He stated if they were to convert the remaining \$8 million from 1% to 3%, it would cost \$160,000 more a year on the Golf Course Budget.

Mr. Koopersmith asked the amount of the Township's unfunded liability for the employee pensions. Mr. McLaughlin stated you do not want to be completely funded; and by 2009 he understands they have a funding ratio of approximately 78%.

Mr. Maloney stated while he is an actuary, this was the work of someone else and his opinion is if you go to the position that you have fully funded the Plan, you position yourself to a point of risk where you get over-funded, and this has zero value to the Township. He stated there are sufficient assets to pay benefits for the next fifteen to twenty years, and the Township will be around for a very long period of time.

Mr. Koopersmith stated he feels the Township should borrow some extra money to keep as a "rainy-day" fund because the rates are currently so low. He stated this money could help carry the Township if there were to be a recession in the future.

Mr. Jeff Benedetto, 22 Greenridge, stated he agrees with Mr. Maloney that Option #3 makes the most sense. He stated he feels they are sacrificing long-term gain for short-term savings, and they could save \$200,000 more going with Option #3.

Motion to approve carried unanimously.

AUTHORIZE ADVERTISING ORDINANCE TO REFINANCE THE 2006 BOND

Mr. Bucky Closser, attorney for the Township, was present and stated they will need the authority to advertise the Bond Ordinance which will be prepared and brought back on September 21 which is the day of the Bond sale.

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to authorize advertising the Ordinance to refinance the 2006 Bond.

DISCUSSION OF SATTERTHWAITE SALE/LEASE AND MOTION TO APPROVE SALE

Mr. Caiola stated there has been discussion already as to what was or was not in the Minutes with regard to the sale/lease of the Satterthwaite House. He stated there was discussion at different times about a lease, and so the Board did ask Mr. Truelove to put together something for the Board comparing and contrasting the different options, and he will ask the Board to make a decision this evening as to which direction to go. Mr. Caiola stated there has been significant discussion about this subject for two years, and he asked that comments be kept succinct.

Mr. Stainthorpe stated he reviewed the document prepared by Mr. Truelove outlining the benefits of a sale versus lease, and it confirmed for him that the best thing for the Township taxpayers is to sell the property and to have it off the books and into private ownership and maintenance and back on the tax rolls. He stated anything short of this will just extend the problem. Mr. Stainthorpe stated they have actually been discussing this for ten years.

Mr. Stainthorpe moved and Mr. McLaughlin seconded to approve the sale of the Satterthwaite House, accept the documents as presented with some final revisions, and move ahead to advertise the sale of the property.

Mr. Smith stated for the benefit of the public, he would like Mr. Truelove to provide some highlights of the memo he prepared on the pros and cons of a sale versus a lease.

Mr. Truelove stated they must consider the cost of the rehabilitation of the property which at a minimum would be \$500,000 to \$600,000. He also reviewed existing maintenance costs; and he stated in 2009 it cost the Township \$17,000 and in 2010 it cost the Township \$31,254. He stated they would anticipate continuing maintenance costs to be higher, and the cost to rehabilitate may be higher as well. Mr. Truelove stated any sale would be subject to restrictions so that the Township could retain a certain amount of control. He stated if a buyer at some point in the future would want to re-sell the property, the Township could include in any sale the provision that the Township would

have the right of first refusal. Mr. Truelove stated if they were to proceed with the sale it could be through public bid, public auction, or conveyance to certain entities as listed in the Second Class Township Code. He stated the sale would eliminate the Township's day-to-day oversight of the property and the costs of maintenance and upkeep. He stated with certain easements and other restrictions, the façade of certain properties on the farmstead would retain a particular appearance which have been discussed in terms of the historical structures. Mr. Truelove stated the biggest drawback would be that the Township would not have direct control over the use, maintenance, and operation of the property other than restrictions in the bid/sale documents.

Mr. Truelove stated with regard to a lease, the Township would retain ultimate control of the property; but they have had ultimate control over the last several years, and given the economic times, it has been a very difficult responsibility for the Township to maintain the property. Mr. Truelove stated regular lease payments would help mitigate additional costs, but these would be over and above the costs anticipated that exist currently. He stated the Township would still be an asset of the Township on the books; but the Township would have to oversee and manage the tenant, and it may be a disincentive to a potential buyer who would prefer owning the property outright. Mr. Truelove stated the Township would have to be a landlord, and in many cases, it would not change the Township's current responsibilities for the property; and they would have to continue to deal with the repairs and maintenance.

Mr. Truelove stated they did previously look into the Resident/Curator Program and found that Pennsylvania does not have a program that is statutory like many other States. He stated they did investigate this with the Museum Historical Commission, and their representative was lukewarm about this idea.

Mr. Smith stated he agrees with Mr. Stainthorpe that they should proceed with the sale, and he feels it would be a disservice to the taxpayers if they did not do this.

Ms. Donna Doan, 2814 Langhorne-Yardley Road, Langhorne, stated she has lived within a mile of the Farm for forty years of her life; and her father has farmed the Farm for almost seventy years. She stated the Pattersons left a wonderful gift to the residents of Lower Makefield when they left/sold their Farm to the Township. She stated while they received a price, the deal included a gift of tens of millions of dollars of real estate and some of the best farmland in Pennsylvania that was "gifted" by the Pattersons. She stated she feels they should make sure that whatever they do with the Farm is in agreement with the Patterson's vision of the Farm which was agricultural preservation. She stated she does not care about what lawyers say about any clause in the Contract that said the Farm could be developed in some way after their death. She stated if the Pattersons knew that clause was in there, they would never have signed it. Ms. Doan stated they should keep the Farm intact. She stated her father has testified that the

buildings are essential to the workings of the Farm. She stated in 2017, she hopes that the Doan family will celebrate the 100th anniversary of the Doan family on that Farm, the Farm will be intact, and the Satterthwaite Home will be restored.

Ms. Doan asked the Board to lease her the Satterthwaite Homestead for a period of six years with similar terms and conditions as was given to the Artists of Yardley. She stated during that time, she will improve the property and spearhead an effort to preserve the Satterthwaite House. She stated she will take on this task as a service to the community and out of respect to Mr. and Mrs. Patterson, her grandparents, and her father who worked so hard on the Farm for the majority of their lives. She stated there is a legacy of over 325 years of agriculture on the property, and any sale is reprehensible to consider. She stated the numbers that have been given are not viable numbers, and the repairs can be completed for a lot less than has been stated. Ms. Doan stated the taxpayers would benefit, and the Farm will be enhanced with her program.

Ms. Doan stated she knows that there is interest in the community regarding the Farm, and there is bad blood in the community over what was done to the Pattersons. She stated there is an opportunity to move forward and make everything right, and the sale is not the way to proceed. She stated there is no immediate need to sell off any portion of the Farm, and the structures are basically sound although the maintenance has been deferred. She stated she will commit to work with HARB and the community to restore the home to a livable condition that will provide income to the Township. She stated her father has already paid to have one of the buildings painted, and she has already invested her own funds in the Patterson Farm Preservation.com Website. She stated she has received numerous positive comments on that Website about preservation of the Farm.

She stated there is a grass-roots group who wants to see the Patterson Farm preserved. She stated farming is what we do in Lower Makefield Township, and it is their history and heritage. She stated her family has been farming in Lower Bucks County since before the American Revolution. Ms. Doan stated she understands that some people prefer other lifestyles; but they must also understand that some of the Township's constituents value this Farm, and they are willing to work to get the Farm back to what it was. She stated the Farm has been neglected, and a lot of it was at the hands of the Township. She stated there needs to be a clear and concise plan for all the funds that come into the Farm to be set aside for the preservation. She stated if they sell off the Satterthwaite portion, there is still no clear plan for the preservation of the other buildings on the other side of the Farm so they will be revisiting this issue again when people see that those buildings are not being painted.

Ms. Doan stated there are twenty-three heirs to the Patterson Estate even if they had no surviving children. She stated many of those heirs are not happy to see what is going on, and she feels there will be future lawsuits if the Township proceeds with the sale as people in the area knew the intention of the Pattersons. She stated they were not happy with the way the Farm was taken. She stated the Board of Supervisors voted in May of 1998 to condemn the Farm, and it was held over the Pattersons heads; and they knew that they had to sell and did not have a choice. She stated it will create “bad blood” if the Board goes ahead with the sale.

Ms. Doan stated the public should be given the opportunity to take the reins on this. She stated they are not asking the Township to be involved. She stated she is not asking for the Township’s participation – just their permission. She stated there is work to be done and a little time left this year so that things could proceed in good weather, and work could be done.

Mr. Arthur Cohn, 7906 Spruce Mill Drive, asked if they lease the property would the Township not have to upgrade the wiring, plumbing, etc; and Mr. Caiola agreed that they would have to do a fair amount of work to get it up to specifications, and this was part of Mr. Truelove’s report.

Mr. Jeff Benedetto, 22 Greenridge, stated he misspoke earlier this evening, and Ms. Herman was correct in stating that as noted in the May 5, 2010 Minutes, she had requested and the Motion was passed to have the Township solicitor investigate leasehold options; and it does not appear that any lease documents were prepared or submitted as an alternative. Mr. Caiola stated they did not do a full bid document for leasing because the expense of that would be more substantial than putting together a document such as Mr. Truelove put together that they could all look at to determine the positives and negatives which he felt would be more worthwhile than having a large set of documents for a lease. He feels this was more valuable to the public than having a set of legal documents for a lease. He stated because the discussion was in the Minutes about a lease, the Board wanted to pursue this option and get as much information as possible to the Board in order for them to make a decision. Mr. Caiola stated if the Board were to decide this evening that they would want to pursue a lease, they would proceed to full document for this; but at this point, they need to see where the discussion goes.

Ms. Virginia Torbert asked if bid documents are available to the public, and Mr. Truelove stated at the direction of the Board once they are finalized, he would recommend that they be available on the Website. Mr. Stainthorpe stated any potential buyer would have to be able to see them. Mr. Smith stated there is only one person they know of who is interested in purchasing the property, but there may be others; and they will have an opportunity to see whatever bid documents there are so that they know the restrictions if they do wish to purchase the parcel.

Ms. Torbert asked if there is any requirement that whoever purchases the property must make a certain amount of repairs to the Satterthwaite House within a certain period of time. Mr. Truelove stated there are requirements set out as to the repairs that have to be made to the house, although he is not certain about a specific period of time. He stated the purchaser would have to make repairs to make it meaningful for them to occupy the property.

Ms Torbert stated she is concerned, particularly in this economy, that someone may buy the property, leave the house as is, and then request permission to erect new buildings. She asked if there is any guarantee that the buyer has any incentive to put any money into the house. Mr. Truelove stated there may be bond requirements that they can impose that would mandate that they proceed in that manner so that the Township would be protected. Ms. Torbert asked if this will be part of the bid documents, and Mr. Truelove stated this is something that they would recommend if this is the wish of the Board. He stated the purpose was not just to get rid of the property, but to have the property in the hands of someone who was interested in actually preserving it. Mr. Truelove stated the Township also has the right to reject all bids.

Mr. Maloney stated as a practical matter to the extent that someone would take ownership of this parcel of land, to feel they would allow the house to remain as it is, would be erroneous. He stated all of the constraints that they will put in the documents would require how they improve it. Ms. Torbert stated if they could get permission to build new structures on the other five acres, they many not improve the house. Mr. Maloney stated the Zoning constraints of the parcel would put tremendous pressure on them to make use of the existing building. He stated it is Zoned R-1. Mr. Truelove stated any relief going outside of a permitted use would require them to go to the Zoning Hearing Board, and the Township could participate. Mr. Truelove stated what is being considered this evening is only the first step in the process. He stated the Township is still interested in doing what they can to insure that their intentions are met to maintain the property in a manner that is acceptable to everyone. He stated he does not feel there will be a flood of applicants given the nature of the restrictions; although if they make it too restrictive, no one may bid.

Ms. Torbert stated the only person who has shown interest is proposing a use that is not permitted, and Mr. Truelove stated they would have to obtain relief from the Zoning Hearing Board. Ms. Torbert stated this would involve re-Zoning that section of the Township. Mr. Truelove stated it would be a Variance for that parcel just as others receive Variances for various requests which require an appearance before the Zoning Hearing Board during which the Township could participate and Conditions could be attached.

Ms. Torbert asked if more appraisals will be done, and Mr. Truelove stated this was not part of his process. Mr. Stainthorpe stated he has no interest in doing another appraisal. Ms. Torbert stated she feels the appraisal was extremely low, and she does not feel it is good value for the Township to accept it. She stated the person who did that appraisal is the same person who participated in the appraisal of the Golf Course. Mr. Stainthorpe stated the individual who appraised the Golf Course is no longer living. Ms. Torbert stated the person who appraised the Satterthwaite parcel also participated in the testimony for the Golf Course, and it can be read in the Court documents; and their opinion was roundly criticized at several levels of the Pennsylvania State Courts. She stated she feels most people would find it ridiculous that they could get five acres in Lower Makefield for less than \$300,000 including all of the buildings.

Mr. Maloney stated the appraisal is a legal requirement, but the lower it is the better it is for the Board as it provides flexibility to make a decision; and to the extent that a bid would come in under the appraisal, they would not be able to accept it. He stated it is very hard to find a comparable to this parcel, so it is ultimately on the judgment of the professionals and the Board of Supervisors to make a decision on any bid that comes in.

Ms. Torbert stated she still feels that before this parcel is sold, they need a Plan for the entire Farm particularly in terms of roadways. She stated she does not feel that it is feasible to have five or six different uses on the property and not have to revise the internal roadways.

Ms. Roseanne Friehs thanked the Board of Supervisors for listening to the Historic Commission and the concerned residents to explore the lease option. She stated if there is a willing tenant for the Satterthwaite House, the Board of Supervisors should give this lease option a try. She asked about the Lease arrangement for the Artists of Yardley. Mr. Fedorchak stated it is a three-year term, and the Artists are responsible for all utilities and certain capital improvements to be made within that three-year period such as certain internal upgrades to the house, painting the exterior of the Manor House and two of the accessory dwellings, and a few other items.

Ms. Helen Heinz, 1355 Edgewood Road, asked for further clarification about a lease, and Mr. Truelove stated there was the possibility of a triple-net lease, and other ways to structure this depending on how the Township and perspective tenant wanted to proceed. He stated leases are negotiable, but the issue was what was realistic. Ms. Heinz asked what a triple-net lease would result in, and Mr. Truelove stated most of the expenses and costs would be borne by the tenant. Ms. Heinz stated this is what she is familiar with through her service on the Washington Crossing Park Commission, and they had fifty-two properties that they had to lease out on a five-year lease cycle. She stated the tenant was responsible for all maintenance including taking properties that were in very bad condition and totally restoring them. She stated she has also discussed this with representatives for Tyler Park which is what they did with houses there some of which

were uninhabitable and they were leased; and they have a waiting list. Ms. Heinz stated this is also being done in Ridley Park and Fairmount Park. Ms. Heinz stated Mr. Truelove had indicated that he had discussions with a representative at the HMC about the Resident/Curator program, but that individual retired in February. Mr. Truelove stated he had discussions with him approximately one year ago, and they did not receive encouragement from anyone at the Historic Museum Commission on that program. Ms. Heinz stated she gave a presentation on this program; and while she agrees that particular program is not used in Pennsylvania, she knows of someone who lives in Berks County that has a Resident/Curator program.

Ms. Heinz stated as a member of the Historic Commission and a private 501C3 that would be formed to save the Satterthwaite House, she would hope the Board would consider what Ms. Doan is offering to do. She stated she would support her 100%, and would provide her advice and physical labor. She stated she would also be able to involve many youth groups in participating in restoring the property. She stated she is currently working at Philadelphia University in historic preservation, and she would be willing to work on this. She feels this would be a benefit to the Township, and she asked that the Board consider the lease program. Ms. Heinz stated in May, 2010, the Board did order Mr. Truelove to look into lease documentation; and she does not feel that this ever really occurred. She stated there were never any solid numbers, and she feels they have shortchanged the Township. She stated this is a property that is very important to the rural community and people in the Township who are interested in historic preservation. She stated if they lease the house to Ms. Doan or some other entity with the same terms they have given to the Artists of Yardley, she guarantees that there will shows, fairs, and showcases; and it will be as good as the Artists of Yardley house.

Ms. Donna Doan stated with regard to demolition by neglect this has happened, and she noted two homes in Woodside that are empty and are eyesores; and people do purchase properties and do not repair them. Ms. Doan stated as to the viability of the Farm and the importance of keeping this in farmland, she quoted from the 9/11 issue of Progressive Farmer on the projected 9 billion people who will need to be fed by 2015 requiring farmers to produce more food during the next 40 years than they have in the last 10,000 years.

Ms. Sue Herman stated she feels this house is the U.S. equivalent of Europe's 10th Century cathedrals, and she hopes the Board will care enough to prepare the lease documents. She stated there is a public that is willing to work hard for this property to make it beautiful. She asked that they support Donna Doan and prepare the lease documents. She stated others are also welcome to come forward and indicate that they are willing to lease as well, but she hopes that Donna Doan and the community can make the house what they want it to be.

Ms. Sandy Nuzzolo, 628 Stony Hill Road, stated it seems the concern the Supervisors have is the financial drain on the Township; and if Ms. Doan is willing to take over this lease at no cost to the Township with the triple-net plan of taking the property as it is and putting into the property whatever is necessary to reside at the home, she feels this would be a “win-win.” She stated if this does not work out, the Township could still sell the property. She feels the lease would be an opportunity for the community to come together with a grass-roots effort and make an attempt to improve the property.

Mr. Smith stated if they vote to sell the property and Dr. Benz is the purchaser, he will be very happy.

Mr. Maloney stated he does agree with Ms. Torbert that there should be a full comprehensive plan for the Farm, but he does not feel they should allow this to sit for another five years while they sort that out. He feels they are now forced to make some piece-meal decisions even if this is less optimal. He stated they did try to have a plan for the Farm, but this did not occur. Mr. Maloney stated from the perspective of historic preservation, the primary concern is whether the integrity of the building is being compromised, and every constraint they can think of has been put into these bid documents to make sure that the structure will fall under the purview of proper historic maintenance and restoration. He stated in its current state, the building is not being occupied by a farmer; and he does not see where keeping it on the Township rolls actually does anything for the historic preservation other than it being a public asset as opposed to a private asset. He stated his motivation is to make sure that the building stays intact and is properly protected; and he does not see how keeping it on the public versus private rolls really alters that state. He stated he feels comfortable with the direction the Board seems to be going.

Motion carried unanimously.

MUNILOGIX PRESENTATION AND MOTION TO DIRECT TOWNSHIP MANAGER TO MOVE FORWARD

Mr. Stainthorpe stated he will recuse himself from any public comment or votes that might be taken as he does some marketing work for this company.

Mr. Paul Nelson and Mr. Matt Garver, Carroll Engineering, were present. Mr. Nelson stated tonight they will provide a live demo so that the Board can see the product first hand.

Mr. Garver stated this is a piece of software that the Township employees will be able to use to improve efficiency. He stated it is a web-based product which means it will be able to be used by the people in the field and other remote locations; and provided they can connect back to the server, they can connect and use the data base in real time. He stated it is a secure product. He stated this is a central data base to manage all the operations that occur including Permitting, Code Violations, customer complaints, etc.

Mr. Garver showed a demonstration of the Property Module which is a data base of all the resident information including ownership, site characteristics, land use, improvement data, etc. He showed a demonstration of the Customer Module which deals with complaints and requests for services. He stated the Permit Module handles the entire Permitting process. The final Module they have proposed as Phase I is the License Module dealing with Licensing of contractors and/or site locations.

Mr. Caiola asked if there are options so that you can have comments/conversations with the contractors and residents so there is a running record, and Mr. Garver stated they could have notes about properties or log in action as it occurs.

Mr. Garver stated the system has a complete document management system built in which will help get to a reduced-paper environment. They will be able to scan in all the documents into the system. He stated additional layers of information can be added over time. Mr. Garver stated it also has a fully built in mapping functionality and has actual GIS mapping (Geographic Information System). He provided a demonstration using this feature as it relates to notification of adjacent residents about a Zoning Hearing Board matter. Mr. McLaughlin stated this could also be used for the deer management program notification which would insure that all those residents who needed to be notified would receive notice.

Mr. Garver did a demonstration involving a search of properties in the Township having a specific Zone and size. He stated maps can also be pulled up and printed for residents. He stated this is intelligent mapping on everyone's desktop which is easy to use for the average person.

Mr. Garver provided a demonstration on a resident complaint which goes from the complaint lodged, search of the property, forwarding the job to the proper Department, action taken, status of the job, assignment to specific crew, results and completion of the record with a notice sent to the original Township employee who took the complaint. He stated this results in improved customer service.

Mr. McLaughlin asked Mr. Fedorchak if he and his staff have gone through this, and Mr. Fedorchak stated there have been several meetings when he and Ms. Frick have met with Mr. Garver and Mr. Nelson. Mr. McLaughlin stated he feels they need to invest in technology, but the staff would be the best gauge of whether this is needed. He asked

Mr. Fedorchak if he is convinced that this will make the Township more efficient in better operating the Township Office, and Mr. Fedorchak stated he is. Mr. Smith stated this will also provide accountability and will show that work is being done on a timely basis. Mr. Caiola stated it will also integrate the different Departments and provide a higher level of customer service particularly as it relates to Permitting and is way overdue for the community. Mr. Fedorchak stated the property mapping feature integrated into the program is particularly crucial and allows every employee to know what is happening in a particular neighborhood.

Chief Coluzzi stated from a Police perspective, they have researched a lot of data bases and from the point of intelligence and time saving that Munilogix can provide from a public safety standpoint and an investigative standpoint, it is well worthwhile. Mr. Smith noted the recent situation regarding the railroad crossing where this would have been beneficial. Chief Coluzzi stated he also feels that this will result in a large cost savings to the Township in terms of time and effort.

Mr. McLaughlin stated the Supervisors are on an endless quest for efficiency, and this is an attempt to get there. He stated there is a need for efficiency in the back office, and is a move away from the manual way they operate today. He stated this will allow Ms. Frick to work with a laptop as opposed to the stacks of binders she uses currently.

Mr. Maloney stated previously they discussed the need for them to spend time with the staff to determine the staff's needs and how they could best use this. He also asked if they took a field trip to any Municipalities using this; and Mr. Fedorchak stated he did contact the Horsham Water and Sewer Authority who have 8,000 customers and have been using the Munilogix system since 8/09, and highly recommended the system to the Township. He also stated New Britain Township has 4,000 parcels with the similar core system of property mapping and reporting; and their system was installed in 2/09, and they also highly recommended it.

Mr. Smith asked if this system can be constantly updated so they can take advantage of technological improvements, and Mr. Garver stated part of the Annual Maintenance Fee includes all the updates and enhancements to the system usually on a monthly basis. He added they usually capture those enhancements from their customer usage, and Ms. Frick and Mr. Fedorchak will be working with them on what would be useful.

Mr. Smith asked if the EMAC is in favor of this; and Mr. Rubin, Chairman of EMAC, stated this has not gone before their Committee. He stated the last time Mr. Nelson was present he indicated that they were developing another type of software that could interface with the Website so that the community could have access. Mr. Garver stated this is the e-Government Module, and they are in the process of developing this now.

Mr. Garver stated he feels it will be available late 2012. Mr. Rubin asked that Carroll Engineering come before their Committee at that time to discuss how it could impact the community. Mr. Smith asked Mr. Rubin if he has formed his own opinion on this, and Mr. Rubin stated from what he has seen he is very impressed.

Mr. McLaughlin asked about implementation and training, and the length of time this will take. Mr. Nelson stated this is a long-term platform that they will have for growth going forward; and many years from now as they move away from paper base into the electronic era, they will see huge paybacks in terms of efficiency and productivity. With regard to training, Mr. Nelson stated they will take the Township's data and load that onto the laptops so that the staff is training with the Township's data. He stated the training would take four to five days, and he feels they will be able to use the system quickly. He stated their offices are only one half hour away; and if there are problems that cannot be resolved remotely, they will come to the Township. He stated Lower Makefield is a "showcase" account, and they guarantee to keep the Township happy.

Mr. McLaughlin asked if this was included in the 2011 Budget, and Mr. Fedorchak stated they set aside \$40,000 in the Capital Reserve.

Mr. McLaughlin moved and Mr. Smith seconded to direct the Township Manager to move forward with the Munilogix implementation.

Mr. Maloney asked if they have a scope defined of what modules and services they are buying; and Mr. Fedorchak stated they have, and it is Munilogix's Core System which would include Property Mapping, Reporting, Documentation, Communication, and General Administration. He stated there are also Customer, Permit, and License Modules that they have included in the initial scope of work. He stated in addition to this all training is included. He stated this results in approximately \$35,000 and the annual software and maintenance support would cost approximately \$4,000. On-going yearly costs would be approximately \$4,200.

Mr. Maloney asked if they have included back-up servers in this scope of work as there have been difficulties in the past keeping these things on line. Mr. Fedorchak stated they did have the IT people talk to the Munilogix representatives. He asked Mr. Garver if they are going to get a dedicated server; and Mr. Garver stated it does not require one, but the server needs to be a medium to low load server, and this would be up to the Township. Mr. McLaughlin asked the cost of a server, and Mr. Fedorchak stated he would estimate it to be \$3,000 to \$4,000. Mr. Maloney stated there have been times when they have lost systems, and it could compromise their administration. He stated he would like them to explore having a back-up in place so that they can serve the constituency. He asked that they follow up with the IT person on what would be needed before they vote on this so that they can add it to the scope. Mr. Maloney stated they could amend the Motion so that it is relatively vague on this front.

Mr. McLaughlin moved and Mr. Smith seconded to Amend the Motion to direct the Township Manager to move forward with the Munilogix implementation as well as any additional technology infrastructure that needs to be in place to make sure this is a success up to \$45,000.

Mr. Dave Kelliher stated working with the Website and internally at the Township, he feels it is important that they look at the IT infrastructure and what needs to be done individually with a lot of the desktop systems in the building. He stated this could include an update to Windows 98 that they are running or wherever they are as far as systems go. He stated he does not know what the requirements are on each individual desktop, and he feels this should be evaluated. He stated they found with the Website when they were working internally, that there were systems that were a little antiquated. He stated this could impact the cost of the project if they have to upgrade internally as well.

Mr. Garver stated their requirements are fairly low in what is required to run the product; but if they have systems that are more than five years old, they should consider some upgrades. Mr. McLaughlin stated he feels they need to discuss this at the next Board meeting. Mr. Maloney stated he is concerned that they will proceed to buy this platform, and they will then not be able to use it. Mr. McLaughlin stated if they cannot use it, they would need to invest more. Mr. Maloney stated if they are only agreeing to spend \$45,000, the costs could go up quickly. He feels they need to have one more meeting to see what all the needs are.

Mr. McLaughlin moved and Mr. Smith seconded to amend the Motion to direct the Township Manager to move forward with the Munilogix implementation as well as an assessment of the technology needs to implement this successfully with a full overview at the next meeting.

Mr. Koopersmith asked the number of Township employees, and Mr. Fedorchak estimated there to be seventy-five. Mr. Koopersmith asked how many of the seventy-five would lose their jobs if they accept this system, and Mr. Fedorchak stated none of the seventy-five would lose their job. Mr. Koopersmith stated he is concerned that there may be savings that would result in loss of jobs, and it is important for there to be jobs to help the economy. Mr. Caiola stated the intent is that the employees will be able to work more efficiently and effectively and have time to do other things that may bring in more revenue.

Motion carried with Mr. Stainthorpe abstained.

APPROVAL OF EXTENSIONS FOR ARIA HEALTH HOSPITAL, CAPSTONE TERRACE, AND FREEMAN'S FARM

Mr. Stainthorpe moved, Mr. McLaughlin seconded and it was unanimously carried to grant an Extension to Aria Health Hospital (f/k/a Frankford Hospital) Preliminary Land Development to 12/30/2011.

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to grant an Extension to Capstone Terrace Final Land Development Plan to 1/13/2012.

Mr. Maloney moved, Mr. Caiola seconded and it was unanimously carried to grant an Extension to Freeman's Farm Preliminary Subdivision Plan to 3/1/2012.

FINANCIAL REPORT

Mr. Fedorchak stated they are at or near expectations for most of the funds. He stated the General Fund has been performing well over the last six to seven months. He stated he had advised the Board that they had started the year with \$260,000 more than what had been Budgeted. He stated by mid-year, they have received 73% of the revenues Budgeted, but have spent only about 43%. He stated to some extent this is reflective of timing since the Township did get the bulk of the property tax early on in the year. Mr. Fedorchak stated that the one area they continue to watch very carefully is the Deed Transfer Tax; and as of mid-year, they have received only 33% of what was Budgeted. He stated he hopes that they will receive between \$750,000 to \$800,000 by year end, adding that slightly more than \$1million had been Budgeted. He stated overall the General Fund Revenues, Permits, and other Revenue items have come in strong.

Mr. Fedorchak stated the Sewer Fund is doing well. He stated the Pool performed as expected; but he noted when you look at the number of Pool memberships over the last four to five years, they have found that the numbers are down over that period of time. He stated perhaps the Park & Rec Board and Citizens Budget Committee can look at this during the off-season to see what can be done to change that direction. He stated because of the rain and Hurricane Irene, the Golf Course is down on the Revenue side. He stated from a gross revenue standpoint, they are approximately \$200,000 less than where they expected to be at this time of the year. He stated Applied Golf has been making adjustments in terms of expenses, but they need to be mindful of this between now and the rest of the year.

Mr. McLaughlin asked if Public Works and the Police are within Budget, and Mr. Fedorchak stated they are.

Mr. Maloney stated looking at the Governmental Fund comparison year-to-year, they are showing 7% higher revenue (\$722,00) than last year at the same time; and he asked what is driving this if the Deed Transfer Tax is actually behind. Mr. Fedorchak stated he feels that this is because the Sewer Rental numbers are included in this, and they are up; although he will have to check into how this was classified.

Mr. Zachary Rubin asked if they Budgeted for a Finance Director in the 2011 Budget, and Mr. Fedorchak stated they did. Mr. Rubin asked if a Finance Director has been hired, and Mr. McLaughlin stated they did extend an offer, but that individual turned down the offer. Mr. Fedorchak stated the structure in place now is that he has been able to utilize the former Finance Director, Brian McCloskey, on a consultant basis over the last several months; and this has been working out quite well, and he hopes to continue this with the Board's approval. Mr. McLaughlin asked if they are still continuing the search, and Mr. Fedorchak stated at this point, he has not pursued a full-time Finance Director. He stated he feels comfortable with the arrangement that they have now, and it is working out well. He stated there are three other employees in the Finance Department; and two of the three employees are degreed accountants so he feels the Department has above-average skills. Mr. Fedorchak stated he is working out an arrangement with one of the employees to assume additional duties, and he will continue to have Mr. McCloskey provide a certain amount of coaching for those individuals to get them where they want them to be.

Mr. Rubin stated he has been a resident of the Township for twenty years, and they have always had a full-time Finance Director; and now they are "farming" the work out to a consultant, and he feels they should fill this position as a Township the size of Lower Makefield needs a full-time Finance Director.

Mr. McLaughlin stated he feels they should discuss this during the Budget discussions, and he would like to get more of an understanding of how the Finance Department works. He stated possibly they should consider an Assistant Township Manager as opposed to just a Finance Director so that some of the workload could be taken off of the Township Manager in other areas as well. He stated they need to have someone able to step up if something were to happen to Mr. Fedorchak, and in the past he understood that Mr. McCloskey had assumed that role. Mr. Smith stated in the past Chief Coluzzi has also stepped in when Mr. Fedorchak is away.

UPDATE ON RACP GRANT

Mr. Fedorchak stated when they previously discussed this matter they found out that the Board of Supervisors were not restricted to locating the Community/Senior Center on the Patterson Farm, and it could be located anywhere within the boundaries of Lower Makefield Township.

Mr. McLaughlin stated a Committee has been formed with two representatives from the Senior Citizens group, two from Park & Rec, one from the Disabled Persons Advisory Board, and one from the Planning Commission; and they are working on a site selection process. Mr. McLaughlin asked if there was a deadline imposed as to when they would like them to provide the Board with a report on this adding he would like to get a Plan to the Planning Commission in the winter so that the project could begin in the spring as there are a lot of people waiting for this. Mr. Fedorchak stated while the group was not given a date to report back, they are meeting again in a few weeks; and they will begin to develop a short list of suitable sites for the Board of Supervisors. Mr. Fedorchak stated Mr. Majewski will be meeting with them at their September meeting. Mr. Smith stated there is an expectation in the public especially among the Seniors and some other organizations that they will be moving forward with this.

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to instruct the Search Committee to come back to the Board of Supervisors with a recommendation on site selection for the Senior/Community Center by the December 7, 2011 Board of Supervisors meeting.

AUTHORIZE EXECUTION OF LABOR AGREEMENT WITH PUBLIC WORKS EMPLOYEES

Mr. Fedorchak asked the Board of Supervisors to authorize the execution of the new four year Labor Agreement with the Public Works employees. He stated the new Contract started in 2010 but they now have the written document finalized. He stated in 2010 they negotiated a wage freeze, in 2011 there was a 2.25% increase, 2012 a 2.75% increase, and in 2013 a 3% increase. He stated a new feature of the Agreement is in the area of Pensions. He stated currently all employees are under a defined benefit plan, and there was recognition that perhaps they should move in the direction that is commonplace in the private section which is to implement a defined contribution plan. He stated the Union has agreed to that, and this will effect all new hires in the Township. He stated the Township will agree to match up to 6% of the employee's wages. Mr. McLaughlin stated he understands that this means that new employees going forward from 1/1/10 are not covered by pension, but are covered by a 403B arrangement, and Mr. Fedorchak agreed. Mr. Fedorchak stated he and Mr. Truelove will set up some language and a structure for this on a going-forward basis.

September 7, 2011

Board of Supervisors – page 27 of 27

Mr. Stainthorpe moved and Mr. McLaughlin seconded to authorize execution of the Labor Agreement with Public Works. Motion carried with Mr. Maloney opposed.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to re-appoint Ethan Shiller and Anthony Spisto to the Citizens Budget Committee.

There being no further business, Mr. Stainthorpe moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 9:40 p.m.

Respectfully Submitted,

Ron Smith, Secretary