

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – MAY 2, 2005

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 2, 2005. Chairman Stainthorpe 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 legal and personnel matters.

Those present:

Board of Supervisors:       Pete Stainthorpe, Chairman  
                                      Scott Fegley, Vice Chairman  
                                      Grace Godshalk, Secretary/Treasurer  
                                      Frank Fazzalore, Supervisor  
                                      Steve Santarsiero, Supervisor

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

PUBLIC COMMENT

Ms. Elizabeth Bryant, 883 Stony Hill Road, stated she was happy to see Lower Makefield police ticketing rather than Yardley Police who normally ticket and collect the fines.

Ms. Sue Herman noted the accident which took place this morning between a Council Rock School bus and a utility truck at the intersection of Lindenhurst Road and the Newtown By-Pass. Chief Coluzzi stated the Newtown Township Police are investigating this accident, and he has been advised that the truck did run the light. Ms. Herman stated the lights on the Newtown By-Pass continue not to be synchronized. She asked if the Lower Makefield Board of Supervisors can do anything to put synchronization of the lights on a fast tract. She stated PennDOT Secretary Hoffman has committed to Newtown Township that they will get the lights synchronized as well as provide the funding and asked if Lower Makefield could ask Secretary Hoffman for a timeline and ask that they get this completed as soon as possible. Mr. Stainthorpe stated he does support this 100% and stated he has told Newtown Township that if the State will not pay for it, he would bring this back to the Lower Makefield Township Board to ask for money. Mr. Fedorchak stated he will approach Newtown Township on a status report for this project. Mr. Garton stated there is an agreement outstanding that they signed committing certain funds and discussions about maintenance responsibilities and he feels this is four to five years old. Ms. Herman asked for a time line commitment from Harrisburg. Mr. Fedorchak agreed to approach Bob Pellegrino from Newtown Township

on a status report and will take the matter up with Secretary Hoffman as well. He will report back to the Board at a public meeting.

Ms. Herman asked for an update on the status of traffic calming for Lindenhurst Road. Mr. Majewski stated they are doing the design work to prepare the plans to submit to PennDOT and they are also working on getting the traffic signal in at Woodside and Lindenhurst Roads and forwarding that to get the Plans submitted. Ms. Herman asked for an estimated time of construction, and Mr. Majewski stated it will probably not begin until the winter. Upon questioning on the width of the lanes, Mr. Majewski stated he feels eleven foot lanes are satisfactory to PennDOT.

Mr. Bob Slamen, Bedford Place, stated they had previously discussed looking into taking back River Road from the State. He stated the road is not in good condition in certain locations and he feels this is a high maintenance road; and as a taxpayer, he does not feel the Township should take this on. Mr. Fazzalore stated when they took back Edgewood Road, the State did bring it up to a certain standard. Mr. Jim Coyne stated this is correct but there is a difference between Edgewood Road and River Road and he does not feel the money they would get back would equal the amount needed to get River Road into good shape. Mr. Slamen stated even if they fix it now, it will need to be done again in ten years. Mr. Coyne stated the base of River Road is in poor condition. Mr. Stainthorpe stated they will have to balance the safety needs of the residents as well. He stated taking the road back is not the only solution.

#### APPROVAL OF MINUTES

Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to approve the Minutes of March 29, 2005 as written.

Mr. Santarsiero moved and Mr. Fegley seconded to approve the Minutes of April 4, 2005 as written. Motion carried with Mr. Fazzalore abstaining.

#### APPROVAL OF APRIL 4, AND APRIL 18, 2005 WARRANT LISTS AND MARCH, 2005 PAYROLL

Mrs. Godshalk moved, Mr. Fazzalore seconded and it was unanimously carried to approve the April 4, and April 18, 2005 Warrant Lists and March, 2005 Payroll as attached to the Minutes.

### CONFIRMATION OF EAGLE SCOUT PROCLAMATIONS

Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to confirm Eagle Scout Proclamations for the following: Kevin Argentieri, Clark Gregory Bremble, Russ Kantner, John William Schaub, and Douglas William Triton.

### PRESENTATION OF GARDEN OF REFLECTION FINAL DESIGN AND AUTHORIZATION TO PROCEED WITH PUBLIC BID

Ms. Liuba Lashchyk was present with Ms. Ellen Saracini, and Ms. Clara Chirchirillo from the Committee. Ms. Lashchyk presented the drawings of the final design for the Memorial. She stated this is the same concept presented some years ago in the renderings. The Committee has been working to raise funds to make the Memorial a reality. She reviewed the various elements of the Plan and noted the location where the names of the seventeen Bucks County victims will be placed. There is also a location for the names of the 3,000 victims to be inscribed. Ms. Lashchyk thanked the Committee for working on this Plan as well as the Township Manager and the Board of Supervisors.

Mr. Stainthorpe asked where the Committee is in terms of fundraising versus the estimated cost of the construction. Ms. Lashchyk stated a professional estimate was done last year, but the cost of the steel has since gone up; and they have increased the design elements somewhat as well. She stated in the bid, they are proposing to bid only the main elements and the rest will be add-on elements so that if there are sufficient funds they can add these on. Mr. Fazzalore stated they have records indicating that they have \$538,000. Ms. Saracini stated \$100,000 will also be coming from the Living Memorial Grant which is not included in that amount.

Mr. Majewski stated his office has reviewed the Plans, and they are in order.

Mr. Fazzalore moved and Mrs. Godshalk seconded to authorize the public bid for the project.

Mrs. Godshalk stated this Wednesday they will be having another meeting for another fundraiser. She stated it has been thirty-nine months since they first met. She stated they are looking forward to this as a place of reflection for those who were lost and for looking ahead to the future.

Motion carried unanimously.

Mr. Draper stated some of the surrounding Municipalities have found that there is an influx at the beginning. The card should be perpetual and once it is in the computer, you just re-register it. Mr. Fegley asked what would happen if someone moves out of the Township and keeps the card; and Mr. Draper stated this could be a problem. Mr. Stainthorpe stated they could update it each year with a sticker.

Mr. Sam Conti asked about the possibility of a computer screen with the residents listed. Mr. Draper stated there would not be a picture. Mrs. Godshalk stated it will also not pick up renters.

Mr. Tom Stevenson asked about the system used at the Pool with the Pool passes. Mr. Stainthorpe stated pictures are provided by the members who send them in to the Township. The passes are good for two to three years and stickers are affixed each year. He stated they felt the problem with this would be someone going to play golf may or may not have a picture with them. Mr. Fedorchak stated the process they are considering for the Golf Course pass is that the individual would come in and fill out the application form, they would then take a photograph which would print out and they can then immediately go golfing. Mr. Stevenson stated if they did it the same way they do the Pool Membership, they could mail it out annually to the address which would guarantee that they are actually Lower Makefield Township residents. He stated this information could also be used for marketing purposes by sending them information about sales, etc.

Mr. Zachary Rubin stated he is against this idea. He stated the Golf Course Committee previously indicated that there should not be a Membership into the Club and he feels this is the first step into a membership. He stated wherever else a photo member ID is required such as BJ's, LA Fitness, they do not charge for a card. He stated he has been to the Golf Course and people do ask for this information and he does show his driver's license. He stated while there are Lower Makefield residents who do not have 19067 Zip Codes, they could have a list at the Golf Course of the streets in Lower Makefield which have other Zip Codes.

Mr. Mike Morlath, Del Rio Drive, stated possibly the Golf Course could create a data base and once you have gone in once, it would then be in the computer and you would not have to show an ID again.

Ms. Virginia Torbert stated she was under the impression that this was a high class Golf Course, and now she is hearing that teenagers are handling this that are not well trained. She stated even if someone had an ID card, that one individual could still come in and then pay for a foursome when only one was actually a Township resident. She stated they should require that all four licenses or cards be presented.

Mr. Pat Frain, 16 Delaware Rim Drive, stated what they were suggesting was that there be a nominal cost for the card which would take care of the expenses of the program. He stated those working at the Counter are looking through pages of street addresses with many people waiting at the counter. He stated the card would streamline this. He does agree that all should be **required** to come in with their ID card. He feels this will make things administratively easier.

Mr. Kevin Clark, Cobbler Court, stated New Jersey has a similar system which seems to work well.

Mr. Stainthorpe stated since they do not have the hard costs, they should take this matter up at the next meeting before taking action.

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

#### DISCUSSION OF MACCLESFIELD PARK LIGHTING PROJECT AND APPROVAL OF ADDITIONAL BUFFERING

Ms. Mary Mavis, Mr. James Tolbert, and Ms. Laurie Grey were present. Mr. Stainthorpe asked that they limit their comments this evening to new information since this matter was discussed for many hours previously.

Ms. Mavis stated they did have the light test done but do not have the final results back yet. They have preliminary results. Ms. Mavis stated the Plan is to increase the lighting 33% over the current lighting. She stated they were told at the Park & Recreation Board that it was Ordinance #178.53 which was used by the Township's electrical engineer which discusses the candle foot and not having any direct lights into their neighborhood. It also suggests a height structure not to exceed 20' for the poles upon which lighting structures would be on. Ms Mavis stated they have studied this Ordinance and feel that the current lights are out of compliance. They are asking for a commitment to bring the old lights into compliance as well as to insure that the new lights will be in compliance. She stated they understand that there are good shielding mechanisms that were not used on the existing lights that would contribute to shielding their neighborhood from the current lighting. She stated they also found out at the Park & Recreation meeting that PAA cannot get two games in, in the evening if they are required to have games completed at 10:00 p.m. She stated they are out of compliance since it only takes one point to be out of compliance. They are requesting that they bring this into compliance and reconsider the benefit to installing lights when they will not have the possibility of completing two games in a night. She stated PAA did not indicate that they could get two games in and they indicated that they are not two hour games and are actually much longer because the adult games go into extra innings.

Ms. Mavis stated they do not feel there should be any direct lighting approaching their neighborhood. She noted a photograph of the neighborhood taken with all the lights on which shows that there is direct light. Ms. Mavis stated they would like to be involved in this process since they have not been involved in the past. She stated while there are only forty-two residents, they still feel the Board of Supervisors should protect their rights and the Ordinances be complied with.

Mr. Stainthorpe stated at this point they have listened to their concerns a great deal so the argument that they have not been involved is moot. Ms. Grey stated they are asking that this continue. Mr. Stainthorpe stated the Township engineer could discuss their study with the residents' engineer. He stated he does feel that they should be in compliance but the presentation he has heard from the Township's engineer was that there were in compliance. He stated if there are better lights that throw off less radiant light, they should be included as an alternate in the bid. He stated it is not on the table to redo the existing lights. Mr. Stainthorpe stated they will get the facts as to whether or not they are out of compliance. Ms. Mavis stated they are not requesting that the existing lights be taken down, but they would like them to be in compliance. She stated there is a glare factor when you look at the current lights.

Mr. Majewski stated the test did show there was one hot spot at the cemetery but within the Rivergate development, they were in compliance. He agrees that there are some lights which could be re-pointed and shielded to cast less light on the development. Mr. Tolbert noted the four lights that face their neighborhood along the cemetery line are the ones that are causing the most challenges.

Mr. Stainthorpe stated he does agree that the lights should be turned out by 10:30 p.m. He asked PAA if the new lights will meet their needs. Mr. Kevin Hand, PAA, stated they do run two hour limits on games. The last game will be over at 10:00 p.m. and the lights will go off at 10:30 p.m. Mr. Hand noted surrounding Municipalities turn their lights off at 10:45 p.m. and New Jersey fields turn their lights off at 11:00 p.m. Mr. David Truelove stated at Middletown the lights go off automatically at 10:45 p.m.

Ms. Mavis stated PAA commented at the Park & Recreation Board that these were not two hour games. Mr. Truelove stated there are some adult games that go over two hours. Mr. Mark Cope stated the discussion they had with regard to the time limits was that they did not want to have to have the lights go off at 10:00 p.m. but wanted time to get to their cars. He stated they can definitely get two games in. Ms. Mavis stated at the Park & Recreation Board they stated the younger players' games took two hours but not the older players. Mr. Fegley stated if the lights go out at 10:30 p.m., that would be the end. Ms. Mavis stated their concern is whether these fields will be used or will the Township be spending money for lights and they cannot play the games. Mr. Santarsiero stated he presumes that they will do their best to get the games in. Mr. Fegley stated he does not feel the fields will be vacant. Mr. Truelove stated for the most part the fields will be used

regularly and probably overused. He stated the Township population has increased and this is a community issue. He stated they were using these fields before Rivergate was built.

Mr. Gene Castone, Slate Hill Road, asked if there is any idea when other fields will be available for soccer and baseball. He also asked when the residents of Lower Makefield who are not on a team will have an opportunity to use the fields at Macclesfield Park. Mr. Stainthorpe stated there are not enough fields for the Leagues. The Plan for Memorial Park was to have it available for passive recreation use where a family could go for a pick-up game for soccer and baseball. He stated they do have to take a hard look at the overall recreation needs in the Township. He stated they have land available but they do not have a timetable on what they will do.

Mrs. Godshalk stated Mr. Truelove indicated that they were playing at Macclesfield before Rivergate was built and this is inaccurate. Mrs. Godshalk stated the Park was there before Rivergate was built but the lights came in after Rivergate. Mr. Truelove stated the purpose of the Park was established some time ago and the recreation needs of the Township have increased.

Mr. Dillon, Princess Drive, stated he feels these people are looking for limited community use of these fields for the benefit of a few residents. He stated the Board of Supervisors needs to weigh the greater public good against private interest. He stated he does not feel he should have to come to every Township meeting because the Rivergate Association may be coming to every meeting to change things. Mr. Fegley stated the Board of Supervisors has a balancing duty and they cannot allow the greater good to run roughshod over the private residents. He stated they must also understand as homeowners who bought homes next to a public Park that with that comes certain inconveniences that they would not have had to deal with if they had purchased a home at some other location. Mr. Dillon stated he does agree that they should attempt to minimize the impact. Mr. Fegley stated even if they are in compliance with the Ordinance, if there are simple things that they can do such as redirect light or have shielding, they should do this. They should also install an automatic shut off to make sure that the lights are turned off at 10:30 p.m.

Mr. Fazzalore stated he feels they should have the engineer study the glare issue so that they are in compliance.

Mr. Majewski stated to help out the residents with some of their concerns over light and noise, they have had discussions with Ms. Liney and she has had discussions with the Rivergate residents about the possibility of installing additional buffering which hopefully will cut down some of the noise and the light. They have prepared a Plan which shows twenty pine trees to be ten to twelve feet tall staggered along the western side of the bikepath. They have two options – one with all evergreen trees and the other

with a mix of evergreens and maples. To get the full buffering effect throughout the year, it would be better to have the evergreens. Ms. Mavis stated they would like to see this done.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to approve the additional buffering using all evergreens.

#### DISCUSSION OF DEMOLITION OF BANKO HOUSE AND MOTION TO REJECT ALL BIDS

Mr. Stainthorpe stated the Banko house is on Big Oak Road on a piece of property that the Township purchased with open space money with the intention of adding the land to the Five Mile Woods. He stated the house appeared to be in disrepair, and the plan was to have it demolished. He stated the Fire Department has even been using it for practice. It has now been brought to the Board's attention that there may be some historic value to the property.

Ms. Helen Heinz was present and stated they have determined this house dates to the 1840's. It has been substantially renovated but is very solid. They are investigating options to retain the house at either that location or move it to Edgewood Village or to a private tract. They would look toward not having this cost the Township any money and would request that this be tabled until they get more information.

Mr. Stainthorpe stated they did have Mr. Marshall visit the house and he indicated there was very little left that was of real historic significance because of the renovations that have been made.

Ms. Heinz stated they have some private people who are looking into moving it.

Mr. Fazzalore stated if there is the possibility of someone moving it and refurbishing it, he would be willing to listen to this. Mr. Stainthorpe stated he is interested in this as well, but would like there to be time limits on this. He stated he has been told there may be items that are of value in the house and if no one is interested in moving it, they could retrieve that material. He stated otherwise, the house should come down. He stated they are not in the position to own every historic property in the Township. Mr. Santarsiero stated he agrees with Mr. Fazzalore; however he does not want to see the house at the current location as they purchased the property to be added onto the Five Mile Woods. Mr. Stainthorpe stated he feels there should be a time limit because it is an eyesore. Mr. Santarsiero asked how much time they would need, and Ms. Heinz stated she feels thirty days would be sufficient. Mrs. Godshalk stated she would like to give them sixty days.

Mr. Hoffmeister stated he believes the bid is only good for thirty days and was taken on April 6. Mr. Garton stated they could reject the bids or ask the low bidder to extend their bid to the additional period to encompass the sixty days knowing the Board may not even award the bid at the time if it is determined that the house will be moved. Mr. Garton stated he feels it would be best to reject all bids and re-bid it if they have to.

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to reject all bids.

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to give sixty days to see if someone can move the house.

Mr. Fedorchak stated they will put this back out to bid and time it such that it will be back after the sixty days time limit.

#### APPROVAL OF CONDITIONAL USE APPLICATION FOR COUNTY OF BUCKS/PYRAMID NETWORK SERVICES

Mr. Garton stated the request is to place communication antennas and equipment on an existing tower off of I-95 and Taylorsville Road and place communication equipment at the base of the tower. Mr. Benner was present representing the Applicant. Mr. Garton noted the Plan dated 1/25/05, last revised 2/14/05. He stated the Applicant received notice of the Hearing and legal notices were placed as required. The property was posted. The entire Township file was incorporated into the record. Mr. Garton reviewed possible Conditions of Approval.

There was no public comment.

Mr. Fazzalore stated they are replacing some older antennas which were placed at the 208' and 176' levels. Mr. Benner stated this will also permit them to erect a shelter and activate the antennas.

Mr. Santarsiero moved and Mr. Fazzalore seconded to approve the Conditional Use Application Plan dated 1/25/05, last revised 2/14/05 subject to:

- 1) Receipt of all permits and approvals to the extent applicable from any Agency having jurisdiction;
- 2) Compliance with PCS letter dated 4/6/05;

- 3) Applicant provide financial security which would be a guarantee from the County of Bucks that if the facility is abandoned, the County of Bucks will arrange to have it removed at their expense;
- 4) Land Development be waived;
- 5) Payment of all Township expenses related to the Application to the extent not paid;
- 6) To the extent not referred to, that the Applicant comply in all respects with the Zoning Ordinance provisions;
- 7) Landscaping be consistent with the other landscaping on site;
- 8) Building to be consistent with existing buildings with the Township Manager to make sure that this takes place.

Mr. Benner agreed to the Conditions, and the Motion carried unanimously.

#### APPROVAL OF DEVELOPMENT AND FINANCIAL SECURITY AGREEMENTS WITH LIBERTY PROPERTY TRUST

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to approve the Development and Financial Security Agreements with Liberty Property Trust for the property at 777 Township Line Road.

#### APPROVAL OF PRELIMINARY PLAN PHASE I FOR FLOWERS-MADANY TRACT

Mr. Garton reviewed possible Conditions for approval of the Preliminary Plan for Phase I only of the Flowers-Madany Tract. Mr. Shafkowitz was present representing the Applicant.

Ms. Torbert asked the location of the entrances, and Mr. Shafkowitz stated there will be two entrance points – one off Washington Crossing Road and the re-location of Gawks Lane which is part of Phase II. Mr. Shafkowitz stated they are going to Newtown Township Planning Commission tomorrow night to get approval for that location. The other point of access is through the existing stub road into Dolington Estates on Graystone Lane. There is an emergency access proposed from the cul-de-sac to Washington Crossing Road.

Mr. Norm O'Rourke stated he owns an adjacent lot in Lower Makefield. He stated they have not shown a sewer easement to his lot and he asked why this was not shown. Mr. Shafkowitz stated they did not get a request for this but they could consider this at the time of Phase II. Mr. O'Rourke stated he did discuss this with Mr. Zarko and he indicated it should not be a problem. He stated his land is possibly now subdividable and he asked if he could get approval for this. Mr. Garton stated he would have to come in with a Plan; and if they meet the Ordinances, they could get approval.

Mr. Santarsiero moved and Mr. Fazzalore seconded to approve the Preliminary Plan for Phase I of the Flowers-Madany Tract Plan dated 2/27/03, last revised 3/16/05 subject to:

- 1) Receipt of all permits and approvals to the extent applicable;
- 2) Compliance with the PCS letter dated 3/23/05 with Waivers as follows:
  - a) From Section 178-22.29 related to pavement cores
  - b) From Section 178-93C9 related to the grade at the bottom of the basin be 1% as opposed to 2%
- 3) Continued compliance with Decisions of the Zoning Hearing Board dated 3/17/05;
- 4) Compliance with CKS letter dated 3/17/05;
- 5) Applicant to pay Fee-In-Lieu of Recreation in accordance with the Ordinance;
- 6) Compliance with Lower Makefield Township Traffic Fee Ordinance;
- 7) Graystone Lane be reduced from 36' to 30' with the difference in cost to be contributed to the Township at the time of signing and execution of Development and Financial Security Agreements.

Mr. Shafkowitz agreed to the Conditions, and the Motion carried unanimously.

**APPROVAL OF EXTENSIONS FOR FLOWERS/MADANY TRACT PHASE II,  
MINEHART/MASSETTI PRELIMINARY SUBDIVISION, AND  
WICK, GOLDBERG & SICHEL PLANS**

Mr. Fazzalore moved, Mr. Fegley seconded and it was unanimously carried to approve extensions for the following:

- Flowers/Madany Tract Phase II, Washington Crossing Road to 9/20/05
- Minehart/Massetti Preliminary Subdivision Plan to 8/31/05
- Wick, Goldberg & Sichel Preliminary/Final Plan to 7/21/05

APPROVAL OF CERTIFICATE OF APPROPRIATENESS TO GIANT  
SUPERMARKET

Mr. Fazzalore stated HARB recommended approval for this sign. A representative from the Sign Company was present and stated the letters will now be red instead of orange.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to approve the Certificate of Appropriateness to Giant Supermarket, 700 Stony Hill Road, for a new sign.

ACKNOWLEDGE REQUEST OF FARMLAND PRESERVATION INC FOR  
INCLUSION OF PARCEL NO. 20-17-47 (CLEARVIEW) IN THE AGRICULTURAL  
SECURITY DISTRICT

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to acknowledge receipt and refer this to the Planning Commission and Agricultural Security Committee and have appropriate advertisement take place.

APPROVAL TO SELL 1985 JOHN DEERE BACKHOE

Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to sell the 1985 John Deere Backhoe Model 710 to Donald Sheese.

APPROVAL OF GASOLINE/DIESEL/FUEL OIL CONTRACT

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to approve the Gasoline/Diesel/Fuel Oil contract

AWARD CONTRACT FOR REPLACEMENT OF TOWNSHIP BUILDING CURB  
AND SIDEWALK

Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to award the Contract for replacement of Township Building curb and sidewalk to J.L. Gruber Construction, LLC in the amount of \$24,068.

Mr. Fedorchak asked that Mr. Majewski discuss this matter with the Disabled Persons Advisory Board before proceeding. Mr. Majewski stated they did make sure that the bid specs were ADA compliant. He will discuss this with the representatives of the Disabled Persons Advisory Board.

Ms. Torbert asked and was provided specific information on the above matters regarding Public Works items. Mr. Stainthorpe stated the back hoe was sold for \$14,700 at public bid and this was the high bid. He reviewed the various fuel oil prices which are significantly below market prices. He stated they did get two bids on the Township Building curb and sidewalk replacement with the high bid being \$29,947.

#### SCHEDULING ROAD TOUR

Mr. Stainthorpe stated they would like to schedule a Road Tour on Saturday, June 4 since there are a number of people who are not available on Fridays. Mr. Coyne stated he will proceed on this; and if the Board has ideas on what they would like to look at, they should advise him and he can put an itinerary together.

#### APPROVE RESOLUTION NO. 2082 ESTABLISHING A D.R.O.P. PROGRAM

Mr. Garton stated an Agreement was reached through an Arbitrator that the Township needed to proceed with a D.R.O.P. Program.

Mr. Santarsiero moved and Mr. Fazzalore seconded to approve Resolution No. 2082 establishing a D.R.O.P. Program.

Mr. Fazzalore asked that an explanation of this program be provided to the public. Mr. Garton stated this Program permits Police Officers only, who would otherwise qualify for retirement, to “retire, but not really retire.” The payments that would normally go to them upon their retirement are placed into a separate account and are invested for their purposes. They continue to work for the Township for a period not to exceed four years, but they are not given any additional contributions toward their Pension Fund. This was a matter which was directed to be provided by the Township pursuant to Arbitration several years ago. One of the Conditions required was that this be accepted by an Appellant Court in Pennsylvania or by the Legislature. The Township did not believe that this had occurred but the Arbitrator sided with the Police and they are now establishing the D.R.O.P. Program. It is revenue neutral to the Township so there is no cost associated. This is being done widespread throughout the Police community.

Motion carried unanimously.

#### ZONING HEARING BOARD MATTERS

Mr. Fegley moved, Mr. Santarsiero seconded and it was unanimously carried that with regard to the Anthony and Marta Jaramillo Rana Variance request to install an in-ground

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pool and concrete apron at 530 American Drive which exceeds permitted impervious surface, that the Solicitor appear in opposition unless they are able to reduce the impervious surface to 25%.

It was agreed to leave to the Zoning Hearing Board the Bernard and Alisa Dupuy Variance request to construct a garage encroaching into the side yard setback for the property at 17 Lower Hilltop Road.

#### SUPERVISORS REPORTS

Mr. Santarsiero stated the Southeastern Bucks League of Municipalities will be held on the last Tuesday of the month at Morrisville Town Hall at 7:30 p.m.

#### OTHER BUSINESS

Promotion of Officer Brian Golder – Chief Coluzzi stated they currently have a vacancy for the rank of Corporal. Mr. Golder competed for that rank along with five other Officers and came out number one. Mrs. Godshalk moved, Mr. Fazzalore seconded and it was unanimously carried to promote Officer Brian Golder to the position of Corporal effective May 3, 2005.

Approve Joint Application by the Township, Matrix and RAM – Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to approve the Joint Application by the Township, Matrix and by RAM to the Pennsylvania Supreme Court requesting that the Supreme Court remand the proceeding to Judge Heckler for the purpose of possibly approving a Settlement.

#### APPOINTMENTS

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to appoint Maureen McCue to the Historic Commission.

There being no further business, Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to adjourn the meeting at 9:25 p.m.

Respectfully Submitted,



Grace Godshalk, Secretary