

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – JULY 18, 2005

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on July 18, 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. to discuss legal, personnel, and Zoning matters. He noted an item regarding a proposed sex offenders Ordinance originally scheduled to be on the Agenda for the Executive Session, which upon the advice of the Solicitor, will now be part of the public meeting and will be heard after Item VII.

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  
  Robert Williams, Township Engineer  
  Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Ms. Sue Herman stated Jerry Coyne is the DVRPC staff member who is doing the traffic study for the Task Force of which Mr. Stainthorpe and Mrs. Godshalk are the Township representatives. She stated at the June meeting he indicated he has not met with Lower Makefield yet regarding traffic issues. He has met with most of the other Townships. She stated Jerry gave the impression that he did not feel the “ball was in his court.” She would like to make sure that Lower Makefield meets with him as soon as possible. Mr. Fedorchak stated he did have a conversation with Jerry some months ago and had scheduled a meeting with him, Jim Majewski, and Jim Coyne; however, Jerry did not attend. In a subsequent conversation with Jerry, it appeared that there was some confusion with the date. They have now set another meeting with him for this Wednesday at 10:00 a.m. Ms. Herman asked if Lower Makefield Township is aware that the first public hearing on the TIP is August 18. Mr. Fedorchak stated they are aware of this. He stated they have had a number of staff meetings discussing traffic concerns throughout the Township, and they will get to a point shortly about what will be appropriate to put on the TIP Program. Ms. Herman asked when the public will get a copy of that listing, and Mr. Fedorchak stated it will be within the next few weeks.

Ms. Virginia Torbert asked for an update on the Dalgewicz matter, and Mr. Garton stated the last information he has is that it will be tried in October at the Court of Common Pleas.

Mr. Robert Passantino, 2102 N. Crescent Blvd., stated he is present to make a complaint regarding what he considers the inappropriate and partisan behavior on the part of the Chairman of the Zoning Hearing Board during the special meeting held on July 13 on the matter of Allegheny Valley School. During the matter, she repeatedly obstructed the Township attorney, John Koopman, from developing lines of questioning during his cross-examination of Allegheny Valley's witness, Regis Champ. He stated it was clear that Mr. Koopman was not being granted equal latitude as AVS was being given in presenting its case. He asked that the Board of Supervisors take necessary measures to insure that the Hearing proceeds in a fair and impartial manner and allow Mr. Koopman and Mr. DeGrazia, attorney for an objective group, equal opportunity to present their case and cross examination as being afforded to Allegheny Valley Schools. Mr. Stainthorpe stated the way the system is structured, the Board of Supervisors has very little they can actually do. He stated once the Board of Supervisors appoints someone to the Zoning Hearing Board, they operate independent of control from the Supervisors. Mr. Fegley stated the only thing they can do is not re-appoint them when their term comes up; but in terms of taking any action against the Chairman of the Zoning Hearing Board based on her conduct in any proceedings, they would have no more leeway to do that than they were to a Judge on the Court of Common Pleas. He stated they are an independent, quasi-Judicial Board, and it would be improper for the Board of Supervisors to do anything in interfere with the proceedings. Mr. Santarsiero stated they are aware of the frustration and as the Liaison to the Zoning Hearing Board he is also frustrated. He stated he is constrained as the Board's Liaison, and he really cannot comment when she makes those kinds of rulings and behaves the way she has. He stated the Board is well aware of it. He stated he would suggest that the residents stick with it and see it through. He stated it is disheartening when residents come before the Township Boards or Commissions not having had experience with local government, and this is their first experience. He stated he feels the Board of Supervisors needs to be cognizant of this when they appoint people to the various Board and Commissions and is part of the reason that he has repeatedly called for having the interview process done in public so that people can see the kinds of questions being asked, the responses, and what the people are like who are applying for the positions. Mrs. Godshalk stated she read the Minutes of that meeting and was quite upset with the way the Township's employee, the Township Solicitor, was treated. She stated everyone who wants to add testimony should have the right to ask and receive certain documents. She stated the Township employee was cut off in many areas. She would also not like to see someone asking for relief to be cut off that abruptly either.

Mr. Stanley Shatz stated he has lived in Lower Makefield for twenty-eight years and has attended a number of public meetings in the Township and this was one of the more dismissive attitudes taken to other people that he has ever seen in this room. He is

confused when the Board of Supervisors states that they appoint these people and their hands are then tied. Mr. Stainthorpe stated it is a quasi-Judicial Board and the rationale for this is to take politics out of it so that when you come in, you get a Hearing on the facts. Mr. Shatz asked about the other members of the Zoning Hearing Board and asked if they could weigh in on situations like this, and Mr. Fegley stated they could since the Chairman of the Zoning Hearing Board has no greater authority than the rest of the Board; however, if the other Board members fail to speak up or do anything to assert their equal authority, that one individual is able to “steer the ship.” Mr. Shatz asked that the record reflect that this was also the case. Mrs. Godshalk stated that by the residents being here tonight, some people may get the message, and she applauded them for coming.

#### APPROVAL OF MINUTES

Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to approve the Minutes of June 20, 2005 as corrected.

#### APPROVAL OF JULY 5, 2005 AND JULY 18, 2005 WARRANT LISTS, AND JUNE, 2005 PAYROLL

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to approve the July 5, 2005 and July 18, 2005 Warrant Lists, and June, 2005 Payroll as attached to the Minutes.

#### DISCUSSION OF EDGEWOOD VILLAGE DEVELOPMENT

Mr. Chris Messick and Mr. Carter VanDyke were present. Mr. Garton stated this is a conceptual discussion only, and there is no formal Plan before the Board of Supervisors tonight.

Mr. VanDyke stated he is working on behalf of the Historic Commission in helping to facilitate some of the planning in Edgewood Village. Mr. VanDyke showed a plan of the areas where Mr. Messick has been working with the Historic Commission. He noted the two areas which are opposite each other on Edgewood Road. He stated they are also beginning to work with Mr. Troilo on his parcel which was also shown on the Plan. Mr. VanDyke stated he is also assisting with documentation of the existing Heacock House located on the corner of the Messick property. Before it was taken down, it was documented so it could be reconstructed; and this document is now available, and when Mr. Messick goes before HARB for his new building plans, he will have that documentation.

Mr. VanDyke stated what they are presenting tonight is in-fill development which is consistent with the Zoning Ordinance adopted last year. They are showing the Heacock House and in-fill of four additional buildings in order to create continuity along the streetscape. He stated the parking is behind the units. After reviewing this with the Historic Commission, it was suggested that they make a presentation before the Board of Supervisors for some policy determination to see if they could recommend to the Planning Commission a few things to help implement some aspects of the Village Center. They would like to allow Mr. Messick to build some parking spaces as shown on the Plan which would actually be on Township park land; and in return for that, Mr. Messick would agree to improve the entire street in front of the public land including parking, street lights, and sidewalks. He stated there is often a UPS truck that parks in this area, and this would allow an area off the roadway for that kind of service parking.

Mrs. Godshalk stated this is the area in front of the Wachovia Bank which was originally dedicated as open space as part of the shopping center; and over the years, they have tried to decide what could be put there. There were some problems with the State setback. They did consider fences and berms to stop the people from going into this area. She stated this is an area that could benefit from this plan. Mrs. Godshalk stated there was also some discussion about a gazebo. Mr. VanDyke stated this would give road improvements all the way up to the corner. The idea was to develop private/public partnerships so that the Township would not have to use all public funds.

Mr. VanDyke noted on the Plan another area Mr. Messick was looking at and working with HARB on a design for the restoration of the building on the corner. The stone building on the corner would be rehabbed along with the possibility of an infill building in between the two structures. The infill they were discussing was the possibility of relocating the Banko structure located at Five Mile Woods on Big Oak Road which Mr. Messick may be willing to relocate to this site. Mr. VanDyke noted on the Plan where they would propose a bank. He noted a gazebo/shed in the rear which would be a teller's window. He stated they recognize that the Planning Commission was concerned with the through traffic. He stated the Historic Commission and HARB were conceptually in favor of the concept being proposed.

Mr. Santarsiero asked if the Banko house were not to be relocated to this location, what would they envision for the corner, and Mr. Messick stated it would be a 700 square foot shed which is existing. Mrs. Godshalk asked if this is the pigeon coop; and Mr. Messick stated it is not – it is a shed. He stated hopefully the chicken coops will be removed. Mr. Santarsiero asked what use they would make of the shed after construction of the bank. Mr. Messick stated he does not know. He stated the only thing he could envision would be something like a Rita's Water Ice, although he is not sure it would be large enough to house this; otherwise it would just remain as an existing shed. He stated on the Plan they are showing an extension to the shed since the existing structure is only 400 square feet.

Mr. Messick showed five architectural drawings showing the buildings described. With regard to Building #1, they propose to have retail on the first floor and offices on the second. He noted the breezeway on the rear of Buildings #1 and #2 since they are required to have two points of egress for a second floor office, and this plan would allow them to more efficiently use the second floor of both of the buildings. Building #3 was shown. Mr. Messick stated his idea was to replicate the Grange Building; however, HARB indicated they were not in favor of this and would prefer that this building look like the other sketches they provided. Mr. Messick noted that the second breezeway being shown would be eliminated at the Historic Commission's suggestion since they felt it would be better if they only had one breezeway. Building #4 was shown which is the existing Heacock Tenant House. His architect has shown an additional roof line to what the structure has today. He stated some of the exterior features will probably change depending on what HARB requests. Building #5 was also shown.

Mrs. Godshalk asked about residential as they want a mixture of uses including residential. Mr. VanDyke stated Mr. Messick has indicated that there would be residential over Buildings #4 and #5. Mrs. Godshalk stated she did not feel he had committed to this. Mr. Messick stated he does not want to commit to this because he does not know what people will want. He stated while he can turn them into apartments, he is not sure that they would be able to rent them. Mrs. Godshalk stated residential was part of the approved Master Plan. Mr. Fazzalore agreed and stated he feels that they should continue in this vein. Mr. VanDyke stated one of the ways to make the parking work is to have apartments on the second floor so they could have shared parking noting it would not require as much parking for an apartment as it would for an office. Mrs. Godshalk stated this is why the residential mixture is good because of the limited parking, and the fact that people living there can walk to the businesses in the area.

Mr. Stainthorpe stated he is in favor of the designs being shown. Mr. Fazzalore stated the Master Plan that was developed should remain in effect, and the residential portion should be there also. Mr. Santarsiero commended Mr. Messick for coming into this project and going this far; and stated hopefully something along these lines will be built there.

Mr. Messick showed a plan for the bank. He stated when they reviewed the new Ordinances, the drive-through was prohibited. Mr. Messick showed a Plan of the site proposed for the bank. Mrs. Godshalk stated she felt this was Mr. Troilo's parcel; and Mr. Messick agreed. Mrs. Godshalk asked how this Plan varies from Mr. Troilo's presentation; and Mr. Garton stated Mr. Troilo had the drive-through attached to the main bank building and he had four to five drive-through lanes with traffic going through both adjoining streets. Mr. Messick stated his Plan shows it will be only one way. Mr. Garton noted that Mr. Troilo had also planned to leave the corner building but take the other building down. Mrs. Godshalk stated Mr. Troilo came in with another plan that proposed that the drive-through not be attached, but would be underground with tubes. Mr. VanDyke stated that is what proposed on this Plan.

Mr. Garton asked if the Board would consider Mr. Messick's proposal to trade some parking spaces on the piece of Township land in exchange for streetscape improvements. The Board indicated they were in favor of this in theory. Mrs. Godshalk stated it will be where he pulls in from his entrance into the other buildings. She stated you would actually not be driving into the open space; but it will be fit in among the trees. She assumes they could get six to eight spaces. Mr. Messick stated he needs to have formal engineering work done; but wanted to make sure the Board of Supervisors was in favor of this. Mrs. Godshalk asked about a gazebo in this area; and Mr. Messick stated he has not committed to the gazebo in this area. Mr. VanDyke stated they are looking at sidewalks, street lights, street trees, off-street parking, curbing, and necessary drainage.

With regard to the bank, Mr. Santarsiero stated many of them feel that this area should become a downtown for Lower Makefield; and it may be that a bank is part of that, although there seems to be an abundance of banks and pharmacies in the area. He stated if Mr. Messick could find another use that would work, this would be his preference; although if that is not possible and they can resolve the drive-through and other issues in a satisfactory way, he would not oppose it. Mrs. Godshalk stated banks historically do a better job on their architectural designs. She stated if he does not build a bank at that location some other bank will probably still come in to the Village. Mr. Fazzalore stated he is aware of at least two banks that want to come in to the Township. Mr. VanDyke stated banks are often in the forefront of such development. He stated Mr. Troilo is working with two banks as well for his property.

Ms. Helen Heinz stated they have been working with Mr. Messick and Mr. VanDyke and generally feel they are moving in the right direction. They would like to have some control over how the area develops and be part of the streetscaping. She stated Mr. Van Dyke will next look for engineering-type Grants so they can get these kinds of streetscape improvements in the Village. She stated they are also looking at traffic calming through this area so this will work and they can have more vitality in the area. She stated this is only the beginning of the process, and they wanted the support of the Board of Supervisors as they move forward on this.

#### DISCUSSION AND MOTION ON ORDINANCE CONTROLLING CONVICTED SEX OFFENDERS

Mr. Santarsiero stated each of the members of the Board were provided a copy of the proposed Ordinance which he prepared that would restrict where sex offenders could establish residence in Lower Makefield Township. He stated his intention of discussing this tonight is to get a preliminary discussion among the Board, the Solicitor, and the public on this and a related issue not on the Agenda this evening. Mr. Santarsiero stated he is very concerned about protecting the Township children. He stated Hamilton Township, New Jersey enacted an Ordinance similar to what he is proposing. He noted

he has worked on this with Ron Smith and Greg Caiola. He stated this Ordinance would create zones of protection around areas where children are likely to congregate such as schools, day care centers, parks and playgrounds. This would go out a distance of 4500' from those areas to create these zones of protection into which convicted sex offenders would not be permitted to establish residence. The intent is to provide the maximum amount of protection they can for the children. He stated he does not feel this will enable them to provide complete protection, but it is something that they can do and add an added measure of security. He stated he has discussed this with a number of other parents who have been concerned with the fact that Lower Makefield Township already has six convicted sex offenders living in the Township and feels the Board should move with all deliberate speed to pass this Ordinance.

Mr. Fazzalore asked why they are waiting and suggested they do what is necessary to move this along. Mr. Stainthorpe stated he agrees that they should try to make the Township as safe as possible for all the residents. He noted there may be some questions as to Constitutionality but feels they should put a tough Ordinance on the books; and if an offender wants to live here, he can challenge the Ordinance. Mr. Stainthorpe stated he would like an opinion from the Solicitor. Mrs. Godshalk asked if this will incorporate everything currently set up under Megan's Law. Mr. Garton stated Megan's Law is a registration requirement and sets forth criteria. He suggested they incorporate the definitional sections within that so they are not creating something new since those have already been tested in various Courts. He would like the opportunity to, between now and the next meeting, review what has been proposed, make any suggestions he may have, and do some research as to whether similar Ordinances have been challenged elsewhere in the Country. He would then have something prepared for the next meeting which could be authorized for advertisement.

Mr. Fazzalore moved and Mrs. Godshalk seconded to authorize the Solicitor to review the suggested Ordinance, make any additional suggestions, and bring it back to the next meeting to authorize for advertisement.

Mr. Ron Smith, 1574 Clark Drive, thanked Mr. Santarsiero for the foresight in initiating this and complimented the Board for being on board as well. He stated this is a cutting-edge issue and he feels they should be on the forefront. He stated the Solicitor has indicated he would like to do some research but noted he has already done some research and a number of Townships have established these buffer zones. He stated Megan's Law is a State law which deals with registration but involves registration of sexual predators after a Court Hearing. He stated he does not want to wait for a Court Hearing and would like to have this on the books as soon as possible.

Ms. Judy Curlee, 551 River Road, stated she and some of her neighbors are concerned since a suspicious individual already has approached children at Makefield School. She submitted a letter to the Township on this issue. She stated she would like the Township

to be proactive. She stated they have recently experienced the Allegheny Valley School disaster when the Zoning does not preclude these kinds of things as far as looking ahead and how the residential community can be jeopardized by outsiders. She stated in that incident, they have people changing residences into group homes. She stated they want to make sure that no home is turned into a halfway home for a predator or someone who has been a substance abuser and been in a rehab program. She stated although she empathizes, this is a Township with families they need to protect as well as the integrity of their neighborhoods.

Ms. Virginia Torbert stated she feels this is a very good idea but asked how they will enforce this and asked if people applying for a Move-In Permit will have their names run through a data base. Mr. Garton stated there is a data base of persons who are in this category, and the Township could cross check the Move-In Permits with that; however, there would not be Move-In-Permits for renters. He stated there will be means developed to the extent possible so they can catch this. He stated if someone moves in, they will have to get Judicial assistance in having an Order entered to remove them since the Township does not have the right to take physical custody of someone. He stated they will have to work out these issues between the time it is adopted and the time that it has to be enforced. Mr. Santarsiero stated that one of the things he did change in the basic law that was passed at other locations was in the penalty provision where he states that every day that someone is in a residence in violation of this Ordinance would be a new violation each day and this would be a incentive to get them to move out quickly. Ms. Torbert asked what Hamilton Township's experience has been and if they are actively enforcing this and incurring costs. Mr. Smith stated he feels they are enforcing it. He stated he is President of a Youth Athletic organization in Lower Makefield and any person involved in that organization as a coach/worker has to go through a Kid Safe Provision which costs \$15 per applicant. He feels that they should be able to do this to make sure certain people are not near children and it is well worth the cost. Mr. Smith agreed that these are new Ordinances, but the Courts have upheld them.

Mr. Santarsiero stated while this is not on the Agenda, they did discuss this matter in Executive Session and he has proposed that they act expeditiously to amend the Ordinances to prevent so-called half-way houses from being established within the neighborhoods of Lower Makefield. He stated this issue has come to him through his work with the Southeastern Bucks League of Municipalities and has been highlighted through the current controversy with the Allegheny Valley School where there is a group that comes in and proposes group houses in residential neighborhoods. He stated the half-way houses he is discussing are different from what they are dealing with Allegheny Valley. He stated the half-way houses would be drug and alcohol rehabilitation houses that are intended for the most part as temporary residences for people going through a rehabilitation program. He stated their goals are laudable and he can sympathize with them, but he feels the Township needs to be prepared and protective of the residents so that these facilities are not sited within residential areas. He hopes that they will move

soon toward amending the existing Codes so that those types of facilities will not be permitted in residential areas and they will have the ability when someone proposes it, to go to the new Code and prevent that from happening. He stated the Allegheny situation has underscored why they need to move in this direction. He stated he has heard that this is happening elsewhere in Bucks County and he feels it is only a matter of time before Lower Makefield is hit with one of these facilities as well.

Motion carried unanimously.

#### APPROVE HIRING OF KURT BRADLEY AS POLICE OFFICER

Chief Coluzzi stated Kurt Bradley was given a conditional offer of employment based upon his successful completion of a medical, psychological, polygraph, and drug screening. He asked that the Board approve his appointment effective August 1, 2005

Mr. Fazzalore moved and Mr. Santarsiero seconded to approve hiring Kurt Bradley as Police Officer effective August 1, 2005.

Mr. Fazzalore stated Mr. Bradley and another officer they will hire are replacements for one Officer who is going to Iraq and one Officer who is ill. Chief Coluzzi stated they have also just learned that another Officer will be retiring December 31, 2005 as a result of the Drop Program.

Motion carried unanimously.

#### AWARD BID FOR SALE OF USED TOWNSHIP VEHICLES

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to award bids for the sale of the following vehicles to Jersey One: 1991 Chevrolet Caprice - \$509, 1991 Chevrolet Caprice - \$261, 1993 Ford Explorer - \$718, 1995 Crown Victoria - \$909, 1995 Crown Victoria - \$716, 1996 Crown Victoria - \$909, 1999 Crown Victoria - \$1599, and 1999 Crown Victoria - \$2007 and the following vehicles to Mark's Motor's: 1987 Chevrolet Suburban - \$100, 1987 Chevrolet dump truck - \$410.

#### AWARD BID FOR 2005 TOWNSHIP ROAD RESURFACING PROGRAM

Mr. Williams noted the bids were opened on July 14. He noted his letter dated July 14 which notes that the total bid for Contracts #1 and #2 is 2.1% over the Budget amount of \$320,000. Mr. Fazzalore stated he did not receive a list of the roads to be included in these contracts, and Mr. Williams reviewed the roads to be included.

Mr. Fazzalore noted the project done at South Drive by the Water Company and stated he feels they should be required to go back and correct the problems. Mr. Williams stated Mr. Coyne is working on this. Mrs. Godshalk stated this involves not only South Drive, but also a number of roads in that area. Mr. Williams stated Mr. Coyne was successful in getting \$35,000 from the Water Company for this year's paving program for some other project. He agreed to discuss with Mr. Coyne as to where he stands with the Water Company on the South Drive area.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to award the bid for Contract #1 – Superpave – to General Asphalt Paving Company of Philadelphia for \$269,314.78.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to award the bid for Contract #2 – Bituminous Seal Coat – to Asphalt Industries, Inc. for \$57,384.88.

#### APPROVE RESOLUTON NO. 2089 AMENDING SEWER TAPPING FEE

Mr. Hoffmeister stated this was passed by the Sewer Authority on June 23, 2005. He stated it is a requirement of the Commonwealth of Pennsylvania that the new tapping fee had to be enacted by June 30 before taking effect on July 1. He stated it is now ninety gallons per day per capita instead of 100 gallons per day usage. It is also based on the number of persons per dwelling and in Lower Makefield in the year 2000 Census it was 2.77 persons. There is also a factor included for construction and other items. He stated effective July 1, the tapping fee is now \$1,964 as opposed to \$2,200 which it has been up to this point.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to approve Resolution No. 2089 Amending the Sewer Tapping Fee.

#### AUTHORIZE PARTICIPATION IN THE CENTRAL WESTMORELAND COUNCIL OF GOVERNMENTS VEHICLE PURCHASING PROGRAM

Mr. Hoffmeister stated this is similar to the Lower Bucks County Consortium of Municipalities of which Lower Makefield is a member. He stated Lower Makefield is entitled to join the CWCG in order to purchase vehicles. He stated they have done so in the past and this year they purchased a new vehicle for the Park & Recreation Department. Mr. Garton stated this is a way for the Township to take advantage of their public bid.

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to authorize participation in the Central Westmoreland Council of Governments Vehicle Purchasing Program.

#### APPROVAL OF WATER SERVICE TERMINATION AGREEMENT WITH THE MUNICIPAL AUTHORITY OF THE BOROUGH OF MORRISVILLE

Mr. Hoffmeister stated to this point Lower Makefield has had an Ordinance of its own which indicated they could seek a water supplier to shut off water for the purposes of non-payment of sewer bills; however, it did not give any legal standing with either one of the water suppliers. This will formally make Lower Makefield and the Morrisville Water Authority partners if in fact water is necessitated to be shut off. He stated in the twenty and a half years he has been with the Township, they have only had to do this one time approximately fourteen years, but this does not mean it might not happen in the future. With this Agreement in place it is easy for both organizations and gives a template to go to PAWC as well.

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to approve the Water Service Termination Agreement with the Municipal Authority of the Borough of Morrisville

#### APPROVAL OF PRIME PROPERTIES PRELIMINARY/FINAL PLAN

Mr. Garton reviewed possible conditions of Approval for this Plan which received a recommendation from the Planning Commission for approval.

Mr. Nick Rose, engineer, was present with Mr. George Kiriakidi, the owner of the property. Mr. Williams stated he feels they should accept Fee-in-Lieu of the frontage improvements. Mrs. Godshalk stated she is surprised that these are only three-bedroom homes since they are on 33,000 square foot lots. Mr. Rose stated they have not committed to three bedroom houses, but the footprint shown is what is intended to be used.

Ms. Sandra Guzikowski, 1205 Big Oak Road, stated she owns the farm neighboring this property, and she is concerned that she has not been consulted about the farm disclosure statement. Mr. Garton stated it is included as a Condition that this is to be added to the Plan. It was suggested that she speak to Mr. Williams about this item.

Mr. Fazzalore moved and Mr. Santarsiero seconded to grant Preliminary/Final Approval for the Plan dated 9/30/03, last revised 4/29/05 subject to:

- 1) Compliance with PCS letter dated 6/17/05;

- 2) Applicant to pay Fee-In-Lieu of Recreation for two new lots in accordance with the Township Ordinance;
- 3) Applicant to pay a Traffic Impact Fee for two new lots in accordance with the Township Ordinance;
- 4) Applicant to pay a Fee-In-Lieu of the value of the frontage improvements;
- 5) Applicant to pay a Fee-In-Lieu of the value of the bikepath;
- 6) Receipt of all permits and approvals by any Agency having jurisdiction including PennDOT;
- 7) Compliance with CKS letter dated 5/21/05;
- 8) Stormwater management system to be constructed to accommodate 19% impervious surface ratio;
- 9) Farmland Disclosure Statement to be added to the Plan;
- 10) Corner split rail fence to be installed with plantings to be installed and additional plantings to be approved by the Township engineer;
- 11) White pines to be substituted with another acceptable species;
- 12) Location of seepage pits to be approved by the Township engineer;
- 13) Payment by Applicant of all expenses incurred by the Township not paid to date;
- 14) Applicant to execute appropriate Development and Escrow Agreements for any improvements.

Mr. Rose and Mr. Kiriakidi agreed to the Conditions of Approval, and the Motion carried unanimously.

#### APPROVAL OF EXTENSIONS

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to grant extensions of time to the following:

Troilo Subdivision to 10/21/05  
Fieldstone Subdivision No. 496-N to 10/21/05  
Fieldstone Subdivision No. 549 to 10/21/05

#### ZONING HEARING BOARD

Mr. Fegley moved, Mr. Stainthorpe seconded and it was unanimously carried to authorize the Solicitor to appear in support of the Township with regard to the Tristram Heinz matter, for the work being done at 532 Stony Hill Road.

It was agreed to leave to the Zoning Hearing Board matter the Brian and Ann Breth, 1209 Dickinson Drive, Variance request to construct an addition resulting in greater than permitted impervious surface.

#### SUPERVISORS' REPORTS

Mrs. Godshalk stated there was a good article in the Courier Times regarding the Golf Course. She also reported that the bid opening has been extended for the Memorial. Bids will be opened next Tuesday.

Mr. Santarsiero stated the Environmental Advisory Council, and in particular Jim Bray, is spearheading an idea to encourage people in the Township and the Township as well to use native species in their plantings. They would like to include on the Township Website information about native plants and species. Mrs. Godshalk asked how much space they would need. Mr. Santarsiero stated he feels it could be done on a separate page that would be a link. Mr. Bray was present and stated he feels the easiest way would be to have a link but they would need an interpretation from the Township solicitor to see if this is proper. He stated he has also reviewed SALDO manuals of surrounding Townships and they make a general comment and link it to the Appendices in the rear where the specific plants are noted. He stated in the SALDO manual now, there are references to plants, and he feels they would need to be cleaned up.

Mrs. Godshalk stated she feels it would be better to have something on the Township TV channel, and they could put information there to direct people to see the Township Website about certain things and this would entice people to go to the Website.

Mr. Fegley stated many people use the Website, and he would support putting that kind of information on it. He stated he understands the concern about providing a link from a

public to a business or commercial site, and the Township cannot be seen as promoting one business entity over another. Mr. Garton stated he feels the Bucks County Planning Commission has guidelines on the use of native plants, and this would be something they could direct people to that and would not involve a commercial component. He suggested that someone check with them on this. Mr. Fegley stated he hopes that the EAC will also move toward Grants for invasive species eradication like they have in years past regarding wetlands and stream restoration. Mrs. Godshalk asked if there was problem with having information on the TV channel directing people to the Website, and this was acceptable to the Board. Mrs. Godshalk stated she also feels this system would be good for other groups as well such as the Historic Commission directing people to see the Edgewood Village Plan which is available on the Website. Mr. Stainthorpe suggested that they work directly with the Township Manager to get this information on the Website. Mr. Bray stated the first step is they want to present some selective plant lists on the Website, and the second step would be to present a proposal to the Township mandating the use of native plants. He stated they will discuss this in more detail as this emerges in the EAC. Mr. Santarsiero also noted that the next meeting of the Southeastern Bucks League of Municipalities will be Monday, July 25 at 7:30 p.m. at the Middletown Township Municipal Building.

There being no further business, Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to adjourn the meeting at 8:45 p.m.

Respectfully Submitted,

  
Grace Godshalk, Secretary



# Township of Lower Makefield

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

## JULY 2005 WARRANT LISTS AND JUNE 2005 PAYROLL COSTS FOR APPROVAL JULY 18, 2005 BOARD OF SUPERVISORS MEETING

07/05/05 Warrant List	\$ 848,587.53	
07/05 Manual Checks	191,201.85	
07/18/05 Warrant List	852,579.67	
Total Warrants & Prepaids		1,892,369.05
<u>PAYROLL COSTS:</u>		
June 2005 Payroll	374,847.82	
06/05 Payroll Taxes, etc.	28,768.75	
Total Payroll Costs		403,616.57
<b>TOTAL TO BE APPROVED</b>		<b>\$ 2,295,985.62</b>

