

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – SEPTEMBER 20, 2004

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 20, 2004. Chairman Fazzalore called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 6:30 p.m. interviewing candidates for various Boards and discussing land and legal matters.

Those present:

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

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

PUBLIC COMMENT

Mr. Gary Cruzan stated several months ago he reported to the Board the fact that an eighty-nine year old Veteran was faced with the possibility of eviction from the house where he has lived for many years. He stated this situation has continued, and he is concerned that the individual's rights are being violated. He is concerned that if they move him very far, it will be detrimental to this individual. Mr. Stainthorpe questioned what power the Township has in this situation. Mr. Garton stated the Township may be able to give assistance in obtaining the appropriate advice so that his rights are not violated. He stated the Township cannot take up his cause although they could direct him to the Veterans Administration or Legal Aid. Mr. Cruzan stated the property owner wants to tear down the building in which he lives. Mr. Santarsiero asked the type of lease involved, but Mr. Cruzan did not have this information. Mr. Santarsiero stated he feels the Township should do what they can to get this individual representation so that he can find out what his rights are. Mr. Fegley stated he would be willing to speak to him at no charge. Mrs. Godshalk stated she feels some people are already looking into some avenues in helping this individual.

Mr. Sam Conti, Sutphin Road, stated the Township previously had a large dumpster in the parking lot and asked why it his was removed. Mr. Fedorchak stated BFI has changed its policy and is now charging for all dumpsters. To keep the dumpsters at the

Township parking lot it was going to cost the Township \$6,000 to \$7,000 per year which is not in the Township Budget. He stated they will discuss this matter during their discussions of the 2005 Budget. Mrs. Godshalk stated there is a liberal policy with the Township haulers with regard to private collection. Mr. Fazzalore stated he questions why anyone would come to the Township with items when they can put them out at their own residences. Mrs. Godshalk stated the prior company, Anders, did not charge the Township for the dumpsters.

Ms. Sue Herman asked the Board's position on posting of Minutes from Rep. Steil's Task Force meetings. Mrs. Godshalk stated she felt this had already been approved. The Board indicated this evening that they are agreeable to the Minutes being posted once they are approved. Mr. Fedorchak agreed to take care of this matter. Ms. Herman stated the next Task Force meeting will be Wednesday, September 29 and will be extremely important. She reviewed items which are to be discussed at that meeting. Both Mrs. Godshalk and Mr. Stainthorpe indicated that they will be in attendance at that meeting.

Mr. Fazzalore asked about traffic conditions since Stoopville Road has been closed, and Ms. Herman stated truck traffic on Lindenhurst has decreased since Stoopville Road was closed. Mr. Fazzalore stated he understands some roads in other Township are going to be permanently restricted on some of the Township-owned roads. Ms. Herman stated she applauds these efforts since it indicates that they recognize the problems with commercial traffic on residential roads.

Mr. Larry Borda, 508 Heritage Oak Drive, stated the Zoning Hearing Board was planning on addressing the Sunrise Special Exception request tomorrow evening. Mr. Garton stated this matter has been delayed. Mr. Borda stated the residents do not want to see a nursing home on the site and feel it should be left as open ground or residential. However, since the Applicant is trying to obtain a Special Exception and may persevere on this issue beyond the level of the Township, the residents feel possibly the Township should consider approving a Variance which would permit a two-story building rather than a three-story building. If the Board agrees to this and if the project is ultimately approved, it could only be a two-story structure rather than a three-story structure as proposed. They would like to know the Township's feelings about this site.

Mr. Fazzalore asked if a two-story structure would reduce the number of units, and Mr. Borda stated it would not. Mr. Borda stated this is why they would need a Variance for impervious surface since they would have to spread out the building more. Mr. Garton stated the Board of Supervisors has already authorized his office to appear in opposition as well as authorized a traffic consultant to study the traffic. Mr. Garton stated if something has happened between the neighbors and the developer, it would be appropriate to schedule this matter for discussion at the next Board of Supervisors

meeting. Members of the Board asked if they could support a Variance and oppose a Special Exception, and Mr. Garton stated this would be a possibility.

Mrs. Godshalk stated following the last meeting when this was discussed a number of the neighbors were talking to the developer and she asked why the residents would try to make an arrangement with the developer. She stated at the last meeting when this was discussed, she feels the Board made it clear that they would oppose this Plan.

Mr. Borda stated the developer indicated that they wanted to be good neighbors and wanted to eliminate neighborhood opposition. There have been discussions between the neighbors and the developer. Mr. Borda stated they feel it is very possible that this developer plans to persevere with this project. He stated the neighbors felt if they were going to have to have this use, they wanted to try to get the best building they could.

Mr. Fazzalore asked what they feel would happen if they advised the developer that they wanted the building to be the same size it was proposed but without the third floor.

Mr. Borda stated the developer indicated the proposed number of patients was what they needed to make the project successful.

Mr. Santarsiero stated he did not feel a two-story building would be much better than a three-story building. He stated he feels this use will impact the Township in a major way; and while the developer may be willing to persevere with his Application, he would be willing to persevere as well.

Ms. Sandy Nuzzolo, Stony Hill Road, stated the property owner has the right to market his property and did try to market it as residential. The developers felt this was not the proper location for residential development. Ms. Nuzzolo stated she feels the best option is for the Township to buy the property and keep it as open space. Mrs. Godshalk stated she does not feel the property owners would be willing to sell it to the Township at a price the Township would be willing to pay and would be able to get much more selling it to a commercial developer. Mrs. Godshalk stated a Special Exception cannot conflict with the health and welfare of the residents, and she feels this is a strong point in the Court.

Mr. Fazzalore suggested that the Township Manager contact the developer to see if they want to present something to the Board of Supervisors.

Ms. Nuzzolo stated the property owner could go for a hardship since he cannot sell his property. Mr. Garton stated the property owner has the right to make a reasonable use of his property. Mr. Fegley stated he is aware of a Church that is looking for property.

Mr. Ralph Nuzzolo, Stony Hill Road, stated there are water issues on the subject property and he understands that the Army Corps was doing a survey. Mr. Fegley stated he felt this study was being done on Brock Creek, not on this site. Mr. Borda stated the developer told him today that there are no wetlands on the site.

APPROVAL OF MINUTES

Mr. Fegley moved and Mr. Stainthorpe seconded to approve the Minutes of August 16, 2004 as written. Motion carried with Mr. Santarsiero abstaining.

APPROVAL OF SEPTEMBER 7, 2004 AND SEPTEMBER 20, 2004 WARRANT LISTS AND AUGUST, 2004 PAYROLL

Mr. Fegley moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the September 7, 2004 and September 20, 2004 Warrants lists and August, 2004 Payroll as attached to the Minutes.

Mr. Fazzalore stated he reviewed the financial information, and they are on Budget. He complimented the Chief of Police for keeping overtime under control.

DISCUSSION AND MOTION IN SUPPORT OF A RESOLUTION IN SUPPORT OF ESTABLISHING A CENTER FOR INDEPENDENT LIVING IN BUCKS COUNTY

Ms. Liz Harbison and Ms. Lisa Huchler-Smith were present. Mr. Fegley stated there is currently under consideration a Center for Independent Living to be located in Bucks County. This is a facility that acts in a general sense as a clearinghouse for information and services for residents of Bucks County. Currently, Bucks County residents have to go to Delaware County or Philadelphia for such services. There are Grant funds available in the amount of \$250,000 for establishing this Center for Independent Living. There are only six or so such Centers in existence State-wide and a number of Counties are competing for these funds. Mr. Fegley stated the more support they can lend, the greater the chances are of obtaining the Grant monies. Mr. Fegley stated there is an aging population and a number of disabled residents in Bucks County. He stated they would like the Board to approve a Resolution in support of establishing a Center for Independent Living in Bucks County.

Mr. Fazzalore moved and Mrs. Godshalk seconded to support a Resolution in support of establishing a Center for Independent Living in Bucks County.

Ms. Harbison stated getting a Center for Independent Living will expand the opportunity to offer services to people with disabilities. Ms. Huchler-Smith stated individuals can also write letters in support of this proposal.

Mr. Fegley stated the Grant would fund this for a five-year period. This would provide for one-full time staff person and a small rental location. If they obtain the Grant, they plan to locate the Center somewhere in Lower Bucks County with a possible small

satellite office in the Quakertown area. Mr. Fegley stated the Board that would be directing the Center would be comprised of at least 51% disabled persons.

Mrs. Godshalk stated she is aware of a facility already in existence which serves as a clearinghouse for social services in Bucks County. Mr. Stainthorpe stated he feels they should move forward with the Resolution as well as seeing if there could be coordination with the facility Mrs. Godshalk has noted. Mr. Fazzalore stated he serves on a Board as well which may also be of help and he asked that they contact him to obtain their phone number.

Mr. Fegley stated the BCCID will be instrumental in helping with the preparation of the Grant, but will not be running the facility. It will be run largely by the disabled persons themselves.

Mr. Santarsiero suggested that a form letter be prepared to be placed on the Website so that Township residents can write individual letters in support of this as well. Mr. Santarsiero asked that Mr. Fegley prepare some background information on this as well to go along with the form letter.

Mr. Sam Speara, Tomlinson Lane, stated he is concerned with the number of programs that start out with Grant funds; but then when funds are no longer available, the Township needs to pick up these costs.

Ms. Virginia Torbert, Yardley-Newtown Road, asked who will make the decision about which County gets the Center. Mr. Fegley stated the decision will be made by the State Department of Human Resources. Ms. Torbert suggested that this information be discussed at the next League of Municipalities, and Mr. Santarsiero agreed to bring this up at the next meeting to be held on September 30 at the Newtown Township building. He invited Ms. Harbison and Ms. Huchler-Smith to attend as well.

Mrs. Godshalk stated she has no problem with applying for the Grant, but feels they should also look at other agencies that are already set up. Mr. Stainthorpe stated the Board of Supervisors is not applying for the Grant. Mrs. Godshalk stated possibly there could be a partnership sharing. Mr. Fegley stated disabled people want to be in control of their own destiny and their services and do not want to be looked at as charity cases. He stated they want to do it on their own and not have others making decisions for them.

Mr. Rick VanHorn, Heacock Road, stated he has a seventeen-year old son who is disabled. He stated they have benefited from some programs in the County, but it is hard to find services easily. He feels this would be very helpful, and he would encourage the Township to support the project. Ms. Huchler-Smith stated it is very empowering for the disabled to be in control.

Motion carried unanimously.





# Township of Lower Makefield

## BOARD OF SUPERVISORS

Frank J. Fazzolare, Chairman  
Pete Stainbrenner, Vice-Chairman  
Scott I. Fegler, Secretary/Treasurer  
Grace M. Goushalk, Supervisor  
Steven J. Santarsiero, Supervisor

### SEPTEMBER 2004 WARRANT LISTS AND AUGUST 2004 PAYROLL COSTS FOR APPROVAL SEPTEMBER 20, 2004 BOARD OF SUPERVISORS MEETING

9/07/04 Warrant List	\$ 457,020.96	
9/04 Manual Checks	291,123.27	
9/20/04 Warrant List	289,822.64	
Total Warrants & Prepaids		1,037,966.87
<u>PAYROLL COSTS:</u>		
August 2004 Payroll	344,388.82	
8/04 Payroll Taxes, etc.	26,345.75	
Total Payroll Costs		370,734.57
<b>TOTAL TO BE APPROVED</b>		<b>\$ 1,408,701.44</b>

