

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – DECEMBER 6, 2004

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 6, 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. to discuss legal and land 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
 John Koopman, Township Solicitor
 James Majewski, Township Engineer
 Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Mr. Bob Slayman, 50 Bedford Place, stated he is strongly against spending tax dollars to televise public meetings. He stated he feels there are many other things the Township needs to spend money on and people should attend the meetings if they are interested. He stated there is no tax money to spare. Ms. Virginia Torbert, 1700 Yardley-Newtown Road, stated she strongly disagrees with Mr. Slayman's comments. She stated many of the surrounding Municipalities televise their meetings and there are many people who cannot get to the meetings. She is hopeful that with the cable franchise, they will be able to get them to pay for some or all of the cost. If they cannot, she feels it should be paid for with tax dollars. Ms. Carol Sunday, Craft Drive, asked if the Board has made a study as to how many people would watch. She stated she does not feel it is justified. Mr. Santarsiero stated he did meet many people during the campaign and told them he was interested in televising the meetings. He stated people are not always able to attend the meetings, and he found that many of the people he spoke to were in support of the meetings being televised. He stated many other Municipalities do televise their meetings. He stated a copy of the video could be put on the Township website. He stated it is important to keep people informed of what local Government is doing, and he is a strong supporter of televising the meetings. Mr. Joe Sunday, Craft Drive, stated he does not have Cable TV so viewing this would be restricted to those who have cable TV. He asked how it is measured how many people are actually watching these meetings. Mr. Fazzalore stated no matter how it is funded, the people will still end up paying for it since if the Cable Company pays for it, they will simply pass the cost on to their customers.

CONFIRMATION OF EAGLE SCOUT PROCLAMATION FOR KEITH WILLIAM REINEMANN

Mr. Fazzalore stated he presented the Proclamation at the recent Court of Honor. Mr. Stainthorpe moved, Mr. Santarsiero seconded and it was unanimously carried to confirm the Eagle Scout Proclamation for Keith William Reinemann. Mrs. Godshalk stated he is a Graduate of Pennsbury High School where he was a member of the National Honor Society, the German Club, and Theater Crew. He now attends Gettysburg College.

PRESENTATION OF A CHECK FOR PROCEEDS OF 9-11 GARDEN OF REFLECTION RUN/WALK

Mr. Greg Tarallo, Net Stride, and Ms. Cheryl Chase were present to present a check in the amount of \$7,441. Mrs. Godshalk thanked them for getting involved in the community in this way.

PRESENTATION OF CHECK BY SUPERFRESH FOR MACCLESFIELD PARK LIGHTING

Mr. Jennifer Kubicke, Events Coordinator, and Mr. Frank Zarli, Co-Store Manager of Superfresh, were present to present a check in the amount of \$1,000. Mrs. Godshalk thanked them for participating in Township activities.

APPROVAL OF MINUTES

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to approve the Minutes of November 15, 2004 as corrected.

ENVIRONMENTAL ADVISORY COUNCIL UPDATE ON ACTIVITIES AND MOTION REGARDING ESTABLISHMENT OF ENVIRONMENTAL STEWARDSHIP AWARD

Mr. Byron Roth and Ms. Christine Neely were present. Mr. Roth stated the EAC is currently working on a number of projects with Mr. Fegley's assistance including work on the Brock Creek Corridor connection with Yardley Borough, the streambank stabilization program, NPDES, hazardous waste recycling, and working with Yardley Borough on Canal Days. He stated the Council is now seeking approval from the Board of Supervisors on proceeding with the establishment of an Environmental Stewardship Award.

Mr. Fazzalore stated this group has done a great job in the Township over the past few years.

Mr. Roth stated the purpose of the Environmental Stewardship Award is to honor and recognize people in the community who are trying to use **environmentally**-sound principles. He stated Mr. Fegley has been helpful in coming up with ideas to promote this Award in the community. They are looking for corporate sponsorships to help with expenses. They would like to present a plaque and possibly a monetary award.

Mrs. Godshalk stated the Township does not give monetary awards. She stated the Historic Commission makes a similar presentation each year and presents a plaque to people involved with historic preservation.

Mr. Fegley stated in the last several months his activity with the EAC has been very much scaled back, and Mr. Roth has taken over as Chairman of the EAC along with very good people appointed by the Board of Supervisors. At this point, they are just looking for the Board's support that the Award is a good idea and that they should move forward with it. They have not yet made a decision on the ultimate award to be given. They have discussed having an Earth Day Golf Outing with the award presented after the Outing at a banquet.

Mr. Stainthorpe stated it is not clear as to whether they will be giving five separate awards or just one. Ms. Neely stated they deliberately kept the categories broad, but they would only have one award. If they get a large response, they may have one award given per quarter. At the present time they are only looking for philosophical support.

Mr. Stainthorpe asked how they will promote this. Mr. Roth stated they plan to promote it on the Township Cable Channel and work with the School District. They are trying to do it at very low cost. Mr. Stainthorpe suggested that they make this an annual award since if they do it quarterly it would tend to get watered down. Mr. Fegley stated he agrees that it should be an annual award. Mrs. Godshalk stated they may want to have one award for a community group or corporation and one for an individual.

Mrs. Godshalk moved and Mr. Stainthorpe seconded to give the EAC free range to work on a yearly stewardship award in several different categories.

Mr. Santarsiero stated he understands that there have been problems in the past with the Earth Day event because of problems with the weather, but he would encourage them to try this again and make it a traditional Earth Day event and as broad a possible to get the public involved to learn about environmental issues as an outreach program rather than as a Golf Outing particularly since he does not feel that golf courses are usually the most environmentally-friendly. Mr. Fegley stated they did have quite a bit of discussion about this subject after the last Earth Day event they hosted. He stated it takes a tremendous amount of work and they could not have hosted the event without the work done by Donna Liney. He stated because of the low attendance and the problems with the

weather, they felt it was not worth the time invested. He stated they are working with Yardley Borough now on Canal Days which is held in July, and the weather is usually better. Mr. Santarsiero stated he would be willing to help out with an Earth Day Event in any way he can if they agree to try it again.

Ms. Virginia Torbert asked if there is any way they could rent tents to help if there are problems with the weather. Mrs. Godshalk stated they had done a tremendous amount of work and the community did not turn out. Mr. Fegley stated the event which drew the most people was the Fishing Tournament, and they found that the majority of the people who came out for this were not from Lower Makefield. He stated YMS was a tremendous support as well and held Tournaments that day, but they found that the people did not stay for any length of time.

Ms. Jo Norum, Elm Lowne Committee, stated as part of their agreement with Open Air Affairs, they have built into the contract the use of the tent which is on the Elm Lowne property five times a year and possibly they could use it for an Earth Day Event. She noted there is a pond on that property.

Motion carried unanimously.

DISCUSSION OF HERITAGE CONSERVANCY PROPOSAL TO PROVIDE HISTORIC PROPERTY TECHNICAL ASSISTANCE CONSULTING

Mr. Jeffrey Marshall from the Heritage Conservancy was present. Mr. Fedorchak stated several months ago Ms. Heinz was present to discuss a number of the Township's historic properties. One of the things that came out of those discussions was the possibility that the Township would benefit if they could bring on board some technical assistance which would guide the Township as to how to best manage the historic properties and help the Board of Supervisors and the various Committees develop strategic plans. Mr. Fedorchak reviewed the various properties currently owned by the Township.

Mrs. Godshalk asked if the Township Boards were notified about this subject being on the Agenda, and Mr. Fedorchak stated he did contact the Historic Commission and the Elm Lowne Preservation Committee.

Mr. Marshal reviewed the history and mission of the Heritage Conservancy. He stated they are offering their expertise to work with the Township on their historic properties. Their proposal shows that they would work with any of the Township Committees and Township Departments. He reviewed the work to be done including inventory of the properties, historic evaluation of the properties, management options, working with the

Township and Committees, and formation of a business plan for each property. They would be willing to offer their services on an as-needed basis.

Mr. Stainthorpe stated he feels this is an outstanding idea as it is clear they need a vision for the properties they own. He stated the Heritage Conservancy was very helpful in working with the Township on the Ruth Wright Farm, and they have an excellent tract record for success. He does not feel a Citizens Committee is sufficient and feels they need professional guidance to make this work. He would suggest forming a Committee to be made up of a representative from the Historic Commission, the Planning Commission, the Elm Lowne Committee, and two to four other people from the public along with a member of the Board of Supervisors either as a member or a liaison. He feels this is overdue.

Mr. Fegley stated he agrees with Mr. Stainthorpe noting the Township has a number of historic structures and has limited financial resources. He feels it would be very helpful to the Board of Supervisors to have an expert perspective on whether or not certain properties should be preserved and what needs to be done to the structures.

Mrs. Godshalk stated she wishes Mr. Fedorchak had shared this with her. She stated they did discuss at the last meeting having the Heritage Conservancy come in and do the job that was given to someone else in the Township to get three of the buildings on the National Register. She feels some of the items in the proposal are very worthy but she would not want the public to think that the Township has not done a lot to insure that historic homes are saved. She stated she has a list of fifteen houses that the Township has been involved in acquiring properties through the developers and seeing that they were saved and given easements. She noted one which was owned by the Township which she had given to the Township for free by a developer and was subsequently sold by the Board a few years ago. She stated she would like to see the proposal expanded slightly so that they could use the expertise of the Heritage Conservancy to save some of the structures that are still left which are in jeopardy by developers. She stated she feels the price in the proposal for attendance at meetings is high.

Mr. Marshall stated he does not want to imply that the Township has not done a good job. He stated they would simply be acting as facilitators.

Mr. Fegley stated he would also like to know from the professionals how they would rank the structures they own and advise which ones are more in need of repair.

Mrs. Godshalk stated when the Tomlinson Store was sold, the Township got \$300,000. Mr. Fazzalore stated it was appraised for \$200,000. Mrs. Godshalk stated she had wanted that money to go into a historic preservation fund and she feels the funds for this proposal tonight should be taken from that fund. Mr. Fazzalore stated the money went into the General Fund. Mrs. Godshalk stated she feels it should be put into a separate account to

fix up homes they already own or acquire something new to be preserved. If any other properties are sold, she feels the funds received should be put into this fund as well.

Mr. Santarsiero stated they heard that the Elm Lowne Committee had not had the opportunity as a Committee to consider this proposal properly. Mr. Fedorchak stated he did notify the Chairs of the Elm Lowne Committee and Historic Commission some time ago and had conversations with individual members over the past few weeks advising that this was probably coming up. He stated Mr. Marshall's name had been recommended by those individuals as a resource, and this is why he went to Mr. Marshall with this idea. Mr. Santarsiero asked if the Historic Commission has considered this at a regular meeting, and Mrs. Godshalk stated they have not. Mr. Santarsiero stated the proposal shows they would have ten monthly meetings. He asked if the proposal is to come up with a plan which would be finalized within a year, and Mr. Marshall stated this is his hope. He stated it is flexible, and he only wanted to give them something to react to this evening. Mr. Santarsiero asked if he feels ten months would be a reasonable amount of time for this process to last, and Mr. Marshall stated it would depend on the physical condition of the buildings and whether specific analysis of the various structures needs to be done. Mr. Santarsiero asked if, based on what he knows which he understands is limited, that it would take at least ten months, and Mr. Marshall stated this is correct. He stated he wanted to provide sufficient time for Committee and community participation.

Mr. Santarsiero stated the Satterthwaite House has been under consideration for some time. He stated it may be a structure where they may decide it may not have as much historic significance as other structures and he asked if they will consider the totality of the property not just looking at the house but the impact it may have to the historic significance and potential uses for the Patterson Farm if they subdivided the house and sold it off. Mr. Marshall stated it is important to consider the context of the building. He stated they have been working on the National Registry on this property as it relates to the Patterson Farm. Mr. Santarsiero stated beyond the historical context, he would like them to consider the continuity of the property and the impact of selling the house. Mr. Marshall stated they will consider this and will present what they feel is the best information so that the Township can make an informed decision.

Mr. Santarsiero asked about the National Registry for the Satterthwaite House and asked if this process is on-going. Mrs. Godshalk stated no action has been taken to give the Heritage Conservancy the job to proceed with the Application to place it on the National Registry. Mrs. Godshalk stated the bid was issued to someone who is not doing the job and this must be withdrawn before it can be given to someone else. Mr. Stainthorpe stated the situation with the Satterthwaite House is a good reason to bring the Heritage Conservancy on board. He stated no decisions have been made on the house despite a very thorough report from the Historic Commission. Mr. Santarsiero stated he feels there has been movement with respect to the Satterthwaite House. He stated Ms. Heinz made a very thorough presentation and made a recommendation as to how to proceed which was to create an over-arching Committee that would make sure that the other

Committees coordinated their efforts. He stated the Board of Supervisors did not take the next step which was to create such a Committee.

Mrs. Godshalk stated this has not been brought up on the Historic Commission Agenda. Ms. Susanne Curran from the Historic Commission stated she did receive a phone call this evening to come for another Agenda item. She stated she feels an overall plan for their historic properties is a great idea and they would welcome the technical assistance of the Heritage Conservancy. She stated if there is to be a new Board, she would like to see more than one person from the Historic Commission serving on the Committee because of the expertise on the Historic Commission. She stated she feels all the buildings owned by the Township have already been researched a great deal by the Historic Commission. She stated she feels the Board of Supervisors would be most interested in a cost/benefit analysis.

Ms. Joyce Bigley, 1793 Yardley-Langhorne Road, asked how they will pay for this. Mr. Fegley stated if this is approved, the Heritage Conservancy would be telling them where the Township should direct their very limited resources. He stated he is very concerned about putting a large amount of Township dollars into properties which could be preserved just as well under private ownership. Ms. Bigley asked the cost for the work to be done by the Heritage Conservancy. Mr. Fazzalore stated the price shown in this proposal is \$16,405.

Mr. Tristan Heinz, 532 Stony Hill Road, asked how they will work with the existing Committees the Township already has. He questioned what would happen if the Heritage Conservancy gives a different opinion than HARB or the Historic Commission. Mr. Fegley stated he feels it would be another opinion that he would consider and give them all equal weight. He stated the Township does not have unlimited resources. He stated there are a number of people in the Township who are concerned about spending tax dollars to save and restore all of these properties.

Mr. Stephen Heinz stated he would highly recommend that they accept the proposal from Mr. Marshall because of his long track record of quality work and his cooperation with Carter VanDyke who is working on projects for the Township. He feels this will provide a clear direction for the Township to take.

Ms. Virginia Torbert asked how the new Committee will be related to what Mr. Marshall will be doing. Mr. Stainthorpe stated he feels the Heritage Conservancy should not operate in a vacuum and there should be Township representatives and citizens on the Committee. He would assume that they would have public meetings and receive input from the public as well. Ms. Torbert stated she feels there should be at least one member from the agricultural community and Farmland Preservation Corporation on the new Committee. She stated all of the houses on the list are in some way connected to a farm. She stated the Satterthwaite House in particular is important not just as an historic house

but because the Patterson Farm is the only working farm that the Township owns in total and is important as it is part of the agricultural history of the Township and abuts Edgewood Village. Ms. Torbert asked if Mr. Marshall has performed a similar function for any other Township. Mr. Marshall stated they have provided consultant services to Upper Makefield and Middletown although not as comprehensive as this proposal. He stated he recognizes these are challenging financial times, and they try to present a method for the Board of Supervisors to make a decision.

Ms. Michele Stambaugh, Historic Commission, stated she was recently made aware of this matter. She stated the Historic Commission has not formally discussed this but they have agreed informally that it would be extremely wise for the Board of Supervisors to look into creating a strategic plan. They would also like to explore grants for the funding of this program.

Ms. Jo Norum, Elm Lowne, stated while their Committee has not met or voted on this matter, her past history with the group leads her to believe that they would support this.

Mr. Fegley moved and Mrs. Godshalk seconded to approve retaining the Heritage Conservancy based on the proposal submitted – Tasks 1 through 5 - and have them come back with a revised Plan after that point, at a cost not to exceed \$13,000.

Mr. Stainthorpe asked about Task 6. Mr. Marshall stated this would be needed if there is a need for a structural engineer or someone with an economic background to help relieve the Township Manager of some of the burdens with the project. Mr. Stainthorpe asked if the Historic Commission and the Elm Lowne Committee would prefer to have their Committees meet and they can then vote on this at the next meeting. Mr. Koopman stated he would recommend that if they move ahead with this, they put it in the form of a Professional Services Agreement.

Mrs. Godshalk recommended that they approve this tonight but include the present set up that they have with the Committees because these people have been working for many years on saving the homes, etc. Mr. Stainthorpe stated he likes the idea of setting up a separate Committee as it avoids turf battles and draws in new people which he feels is important. The intention is not to leave anyone out. Mrs. Godshalk stated she feels this will dissolve the Committees that have already been set up by Ordinance and she would suggest they add people to the existing committees. Mr. Santarsiero stated he does not feel it is in denigration to the existing Committees. He stated he feels if they wait two weeks while a draft Agreement is prepared and allow the existing Committees to meet, they can get further input from them. He stated there are at least two other constituents that are not involved in the process currently. Mrs. Godshalk stated she suggested adding others to the existing Committees. Mr. Santarsiero stated he feels it would be important to have the input from the farmers in the community and Farmland Preservation. He stated this would not displace the existing Committees in their day-to-day work and

would be a forum to coordinate their thoughts on this specific issue coming up with a Master Plan for how to deal with these properties. Mrs. Godshalk stated this is their day-to-day work and is what they were set up by Ordinance to do.

Mr. Marshall stated he was also going to attend the monthly meetings of the existing organizations as well and it was not only ten total meetings.

Ms. Susanne Curran stated she does feel it is beneficial for the Historic Commission to take a look at the scope of services to make sure that there is not an overlap of services. She stated there is a difference of opinion on the Historic Commission on many of these properties.

Mr. Fegley stated he will withdraw the Motion and stated the consensus of the majority of the Board of Supervisors seems to be as long as it is brought back to at the next meeting, they can delay this to give time to the existing committees to review it. He stated he does not feel they need to hold up Mr. Marshall's work while they discuss the make-up of the new Committee. He stated when the Planning Commission revisited the Master Plan, they set up a steering Committee of representatives from various Boards and Commissions in the Township along with members of the public; and that Board worked with the Planning Commission and then the Board of Supervisors. He sees this new Committee as operating in that same fashion.

Mr. Santarsiero asked that the Boards and Commissions at issue be asked to come back before the Board of Supervisors to give them their input. This would include the Planning Commission, Farmland Preservation, Historic Commission, Elm Lowne and HARB and anyone else who is going to have input. He also asked that the Historic Commission come back with an update on the status of the National Registry for the Satterthwaite House. Mrs. Godshalk stated nothing has been done on this. Mr. Santarsiero asked that the Historic Commission give them a full report on this.

Mr. Fazzalore asked that the Solicitor also prepare a Professional Services Agreement for the next meeting.

Mr. Marshall stated he did receive a call from the County Preservation Board that the check has arrived for the Ruth Wright property and is ready to go to settlement as soon as the Township is ready.

ACKNOWLEDGE REQUEST OF FARMLAND PRESERVATION INC. TO HAVE CERTAIN PARCELS INCLUDED IN THE LOWER MAKEFIELD TOWNSHIP AGRICULTURAL SECURITY DISTRICT AND DISCUSSION ON AGRICULTURAL SECURITY ADVISORY COMMITTEE

Mr. Sam Conti was present. Mr. Fazzalore noted the letter to Mr. Fedorchak which includes a list of parcels that are included in the District and asked if Mr. Fedorchak has confirmed this list, and Mr. Fedorchak stated they did.

Mr. Koopman stated there are three parcels involved which the Farmland Preservation Corporation is requesting be included in the Township Agricultural Security District. Mr. Conti stated these parcels equal seventy-seven acres.

Mr. Santarsiero moved, and Mr. Stainthorpe seconded to acknowledge receipt of the request and direct the Township Manager and Solicitor to move forward with the process to include these parcels in the District.

Mr. Conti noted the location of the properties involved those being – Longshore on Woodside and Dolington Roads, Bridle Estates which is accessed by the Patterson Farm lane, and a small parcel which is the Beth El property at Dolington and Woodside.

Ms. Torbert noted the recent death of Mr. Sam Stewart who had farmed some of the Township properties.

Mr. Fazzalore stated he would like to leave the creation of the Agricultural Security Advisory Committee to the next Chairman of the Board as he will only serve as Chair for one more meeting. Mr. Koopman stated the Committee has already been created. Mr. Fedorchak stated there will be a fifteen day public comment period. Mr. Fedorchak stated the Motion should include direction to send this Application to the Bucks County Planning Commission, the Township Planning Commission and soon to be formed Agricultural Security Advisory Committee. Those bodies have forty-five days at the conclusion of the fifteen day comment period in which to take action. If no action is taken, this Application is automatically approved. It is the Chairman's job to appoint members to the Agricultural Security Advisory Committee. He stated a few of the existing member have passed away.

The Board agreed to the Motion as clarified by Mr. Fedorchak and the Motion carried unanimously.

Mr. Fazzalore asked that Mr. Conti provide him with the names of three farmers who could serve on this Committee. Mr. Santarsiero agreed to serve on this Committee.

APPROVE SETTLEMENT AGREEMENT BETWEEN LOWER MAKEFIELD TOWNSHIP AND RCN REGARDING TERMINATION OF FRANCHISE

Mr. Koopman stated they have presented to the Board of Supervisors a proposed Release of Settlement Agreement with RCN. He stated RCN is in bankruptcy reorganization and has not met its deadlines for the creation of a cable network in the Township. The Settlement that is before the Board would provide for a mutual release of obligations between the Township and RCN and payment by RCN to the Township of \$175,000 in consideration for being released from their obligations. This amount will have to be approved by the Bankruptcy Court.

Mr. Stainthorpe moved, Mrs. Godshalk seconded, and it was unanimously carried to approve the Settlement Agreement.

REJECT BIDS FOR BLACK ROCK ROAD SEWAGE PUMPING STATION ELECTRICAL DISTRIBUTION EQUIPMENT UPGRADE

Mr. Stainthorpe moved, Mr. Fegley seconded and it was unanimously carried to reject bids for the Black Rock Road sewage pumping station electrical distribution equipment upgrade.

APPROVE SEWER ESCROW AGREEMENT FOR SNOWDEN COMMUNITIES

Mr. Koopman stated this is a single-family home located on River Road. In order for it to be served by public sewer, they need to extend the Township sewer line. This Agreement provides for Snowden Communities to perform the work and materials and a cash escrow or letter of credit to the Township in the amount of \$18,000 to insure completion of the work as well as other normal provisions. The dollar amount was recommended by CKS.

Mrs. Godshalk moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the Sewer Escrow Agreement for Snowden Communities.

APPROVE FINAL PLAN FOR BOXWOOD FARMS

Mr. Edward Murphy, attorney, and Mr. Joe Marrazzo were present. Mr. Murphy stated the Preliminary Plan was approved in April. During the last eight months Final Plans have been submitted and reviewed by the Township Boards and Commissions. He has discussed with the Solicitor the list of conditions for approval. Mr. Koopman stated all outstanding issues have been resolved, and the Planning Commission recommended

Mr. Stainthorpe moved and Mr. Santarsiero seconded to open the Public Hearing on No. 345.

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Mr. Stainthorpe noted a typo on Page 10. Mr. Majewski stated the typos were corrected on the copy.

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Mr. Heinz, HARB, encouraged the Board to proceed with approval of this

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Mr. Stainthorpe stated a lot of work went into the development of this.

Mr. Stainthorpe thanked all the people who worked on this for the past three years which includes Edgewood Village being developed the way the Township wants it to be

Mr. Stainthorpe asked for a summary of what this Ordinance will do. Mr. VanDyke explained the changes including standards to be used for infill development, parking, stormwater management, buffer criteria, front yard setbacks, loading and signs. They have also listed all the properties in the Historic District.

Ms. Bigley commented on the five foot buffer requirement for parking and asked Mr. VanDyke to put it in. Mr. VanDyke stated the five foot buffer was permitted because of the size of the lots. They are also required to have fencing and buffer screening so they do not intrude on the neighbors. Ms. Bigley asked about the status of public hearings. Mr. VanDyke stated she is a homeowner in this area. She stated the homeowners are concerned with the costs for sidewalks, lights, sewers, etc. She stated she does not feel she was given proper notice of this because she only received notice of this evening's meeting tonight. Mrs. Godshalk stated there have been numerous public meetings in the past and many of the homeowners served on a Committee as well.

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Mr. Stainthorpe stated the only thing on the Agenda tonight are the amendments to the Ordinance and the Subdivision Ordinance. Ms. Bigley asked if these amendments will impact the Troilo property, and Mr. Koopman stated they will impact the Troilo property. He stated the only use changes were some clarifications made as to what is permitted.

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Mr. Stainthorpe stated they did list uses which were not appropriate for Edgewood Village which had been permitted. Ms. Bigley asked what Mr. Troilo plans to do with the property which is known as the Flowers property. Mr. Majewski stated they have submitted a plan for Subdivision and are cutting out one of the houses to be on a larger parcel but they have not submitted any plans for the larger parcel. Mr. Stainthorpe stated the Ordinances are not being prepared for his particular property alone but are for the Village. Mr. Troilo will have to follow these Ordinances. Ms. Bigley asked if the Village was zoned Historic. Mr. Stainthorpe stated it was zoned Historic twenty-five years ago with the hope that buildings would remain and be

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utilized. They hope these amendments will help build the Village atmosphere. She stated once the sewers come in, she feels the lots will be sold and be developed.

Mr. Koopman stated the goal is to help facilitate the Historic Village of Edgewood, and this gives the framework for this to happen.

Mr. Kimmelman asked how large the lots are and how many homes are permitted.

Mr. VanDyke stated the lots have not changed.

Mrs. Godshalk stated there have been absentee landlords for many years. This will hopefully facilitate the preservation of the existing buildings and encourage infill.

Motion to approve Ordinance No. 345 carried unanimously.

**PUBLIC HEARING AND APPROVAL OF ORDINANCE NO. 346 AMENDING THE
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE RELATING TO
HISTORICAL DISTRICT STREETS, BUFFERS, STORM WATER MANAGEMENT,
EROSION AND SEDIMENT CONTROL AND GRADING**

Mr. Stainthorpe moved and Mr. Santarsiero seconded to open the Public Hearing on Ordinance No. 346.

Mr. Koopman stated these were designed to go along with the Zoning Ordinance. He stated this Ordinance has been publicly advertised for consideration this evening and has been reviewed by the appropriate reviewing organizations.

There was no public comment.

Motion carried unanimously to approve the Ordinance.

**REJECTION OF REQUEST TO HAVE SITE IMPROVEMENTS AT LOWER
MAKEFIELD CORPORATE CENTER-SOUTH ACCEPTED AND PERFORMANCE
BOND RELEASED**

Mr. Koopman stated the Township staff requests that this request be denied. He noted Ms. Frick's memo dated 12/1/04 incorporating the comments of the Township engineer as the reasons for the rejection of the request.

Mr. Stainthorpe moved, Mrs. Godshalk seconded and it was unanimously carried to reject the request to have site improvements at Lower Makefield Corporate Center-South accepted and Performance Bond released.

REJECTION OF REQUEST FOR DEDICATION OF HIDDEN POND ESTATES

Mr. Koopman noted the memo from Ms. Frick dated 12/1/04 recommending rejection based on outstanding issues.

Mrs. Godshalk moved and Mr. Santarsiero seconded to reject the request for Dedication of Hidden Pond Estates.

Mr. Tristan Heinz, 539 Stony Hill Road, asked what is on the list of items that they have to complete. He stated there are a number of concerns on his lot that need to be addressed. Mr. Fedorchak suggested he contact Ms. Frick to make sure that his items are included in the list.

Motion to approve rejection of request for Dedication carried unanimously.

ZONING HEARING BOARD MATTERS

It was agreed to leave to the Zoning Hearing Board the Mario and Myrna Abad, 1596 Page Drive, Variance request to construct an addition resulting in encroachment into the rear yard setback and the Linda Oberkofler, 587 Saxony Lane, Variance request to add a front porch encroaching into the front yard setback.

SUPERVISORS REPORTS

Mr. Fazzalore stated the Pension Committee will meet on 12/14/04 at 10:00 A.M.

Mr. Santarsiero stated the Southeastern Bucks League of Municipalities will meet on 12/9/04 at 7:30 p.m. in Upper Makefield Township.

UPDATE ON PENNSYLVANIA AMERICAN WATER COMPANY ACTIVITIES IN MAKEFIELD MANOR

Mr. Fedorchak stated PAWC has agreed to pay the Township \$35,000 to be added to next year's road resurfacing program which represents the cost of the damage for their repairs related to the activities in Makefield Manor which was brought up by Mrs. Godshalk some time ago. Mrs. Godshalk stated she would like to know exactly how much it will cost to repave all of the roads involved before they accept the figure of \$35,000. She stated Countess Drive should also be included. She stated she feels it will cost more than \$35,000 to make all the repairs. Mr. Fedorchak stated Mr. Majewski will report back to the Board on this matter.

UPDATE ON CSX STEAM HOUSE SOUTH OF EDGEWOOD ROAD

Mr. Fedorchak stated Mr. Stadulis provided an e-mail on this matter, and they are aggressively working on this project to get the structure removed. He stated there is some Federal approval required, and Hovnanian is offering their assistance to CSX to get this approved. Mrs. Godshalk asked if the building is secured. Mr. Santarsiero stated half of the building is boarded up but half has windows that are open. He stated currently it is difficult to get back to this area but once they start construction, it will be opened up and make it an attractive nuisance.

Mr. Stephen Heinz stated his son was in the structure last summer. He stated it is potentially a hazardous site as there are reports from his neighbor, Mr. Tettemer, that there were barrels of fuel stored in the structure. Mr. Heinz stated since it was a steam generating plant for some time, most likely there is asbestos residue as well. Mr. Santarsiero stated in this case there is a company that can be compelled to get this work done if this is the case.

APPROVE HIRING MAILLE FALCONIERO TO PERFORM 2004 AUDIT

Mr. Santarsiero moved and Mrs. Godshalk seconded to approve hiring Maille Falconiero to perform the 2004 Audit.

Mrs. Godshalk asked how many years they have used this firm, and Mr. Fedorchak stated they have had them for five to six years. Mrs. Godshalk stated there was prior discussion whether it was a good idea to change auditors every five years, and Mr. Stainthorpe stated while this is correct, there is usually an increase in costs when changing to a new auditor. Mrs. Godshalk asked that they consider this earlier in the year in 2005.

Motion carried unanimously.

APPOINTMENTS

Mrs. Godshalk moved, Mr. Stainthorpe seconded and it was unanimously carried to re-appoint Judith Filippo to the Elm Lowne Preservation Committee.

Mr. Fegley moved, Mr. Stainthorpe seconded and it was unanimously carried to appoint Bill Taylor to the Planning Commission.

Mr. Stainthorpe moved and Mrs. Godshalk seconded to re-appoint Doug Riblet to the Farmland Preservation Corporation.

December 6, 2004

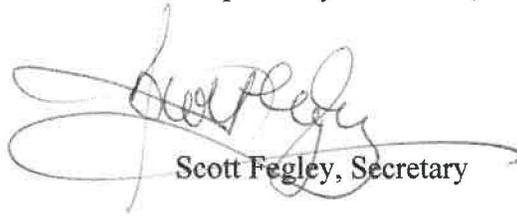
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Mr. Santarsiero stated he has had the opportunity to work with Mr. Riblet, and he has been an asset to the Farmland Preservation Corporation. He stated he will vote in favor of his re-appointment this evening but would still like to make the point that every time there is an opening, they should advertise this position to get additional people to come in.

Motion carried unanimously.

There being no further business, Mr. Stainthorpe moved, Mr. Santarsiero seconded and it was unanimously carried to adjourn the meeting at 10:00 p.m.

Respectfully Submitted,



Scott Fegley, Secretary