

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 16, 2013

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 16, 2013. Chairman Stainthorpe called the meeting to order at 7:35 p.m.

Those present:

Board of Supervisors: Pete Stainthorpe, Chairman
 Dobby Dobson, Vice Chairman
 Dan McLaughlin, Secretary
 Kristin Tyler, Treasurer
 Jeff Benedetto, Supervisor

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 Mark Eisold, Township Engineer
 Captain Tom Roche, Police Department

RECOGNITION OF GLENN CHAMBERLAIN FOR HIS CONTRIBUTIONS AS CHIEF OF THE YARDLEY-MAKEFIELD FIRE COMPANY

Mr. Stainthorpe stated the Township is blessed to have an outstanding volunteer Fire Department. He stated if they had to have a paid Fire Department, it would cost as much as the Police Department which could be \$1 million. Mr. Stainthorpe stated he was advised that Glenn Chamberlain, the Chief of the Fire Department, has been with the Fire Department since 1973; and in that period of time he has answered over 12,000 fire calls. Mr. Stainthorpe stated he has been a great Chief and leader.

Chief Chamberlain was presented with a Proclamation recognizing his service.

Chief Chamberlain thanked everyone for coming out to share in this recognition from the Township. He stated he is only a small part of the 100% volunteer Fire Department, and without them they would not have the fire protection that they do in the Township. He recognized all of his Officers who were present this evening.

PUBLIC COMMENT

Mr. Mark Moffa, 1531 Derbyshire Road, asked about the recycle yard which is now only open on the weekends. Mr. Kevin Kall, Public Works Department, was present and stated the recycle yard was at 98% capacity, and they had to make a decision to shut it down during the week to cut down on the amount of material coming in. He stated they have limited it to Saturdays until they can clear it out. He stated they started this week moving almost 800 yards of mulch a day, and Victory Gardens has secured the removal of the mulch for the Township. He stated once they get the amount down and there is space in the yard, they will open it back up for additional hours.

Mr. Moffa asked if this was a situation that could have been anticipated, and if they could have shut it down to contractors a little sooner. Mr. Kall stated as of last December, a change was made with regard to contractors. He stated previously contractors paid \$100 a month for unlimited material, and instead the Township instituted a charge for the contractors only based on the yardage brought in per load. He stated this cut down on the number of contractors coming in. He stated they still have a significant amount of material left over from Sandy, and they also had to move the material that was on the Samost Tract which was another service that they had to pay for. He stated because of the large surplus of material in the local area, no one was interested in purchasing it; and they had to pay to have it removed although the rates did come down somewhat for this recently. Mr. Kall stated it should take only a few weeks to clear out the yard. He noted the yard is still open on Saturday.

Mr. Fedorchak stated over the last year Mr. Kall has kept the yard open more than they had in the past years. Mr. Benedetto stated the smaller contractors are still allowed to come in provided they come in with Township residents for whom they had done work.

Mr. Moffa stated he is concerned that they are no longer going to continue the mulch delivery service to Township residents since he feels this was a program that was an additional service to the residents and also brought in some money for the Township. Mr. Stainthorpe stated the only time they had done this was this past year which was in response to the amount of material they had as a result of Hurricane Sandy. He stated he does not feel the Township should be in the business of competing with private, local contractors who typically charge more for delivery than the Township was charging. He stated he feels it was a good idea that one time, but he does not feel the Township should continue this in the future. Mr. Moffa stated he disagrees, and does not feel it would have a significant impact on the local businesses. He stated he understood that one of the primary people who complained was a significant donor to the Republican party. Mr. Benedetto stated

he has talked to other individuals in the Township who deliver mulch who were also not happy with the Township getting involved in this “business.” Mr. Moffa stated the Board does not work for just those individuals, but are working for all of the residents.

Ms. Sara Spengler-Campanella, 29 Green Ridge Road, stated she reviewed the September 18 Minutes which discussed the expansion of the Rail lines. Mr. Stainthorpe stated they contacted Mr. Fitzpatrick’s office; and while they wanted them in tonight to discuss this, they did not have enough time to get letters out to the residents. Mr. Stainthorpe stated they will be attending the November 6 meeting which will give the Township time to provide notice. He stated present that evening will be a representative from SEPTA who will be able to explain the scope of the project.

Mr. Benedetto stated Catherine Beath, 1049 Countess Drive, sent him an e-mail which he read in public since she was unable to attend this evening’s meeting. In her e-mail she expressed concern with the Budget with respect to the increasing asset-base of the Township and associated financial risks, the additional \$1.05 million added to the \$3.6 Dalgewicz Settlement and additional projects which were included in the Bond Issue, and what she feels are the true costs of the proposed Community/Senior Center.

APPROVAL OF MINUTES

Mr. Dobson moved and Ms. Tyler seconded to approve the Minutes of October 2, 2013 as written. Motion carried with Mr. McLaughlin abstained.

APPROVAL OF OCTOBER 14, 2013 WARRANT LIST AND SEPTEMBER, 2013 PAYROLL

Ms. Tyler moved, Mr. McLaughlin seconded and it was unanimously carried to approve the October 14, 2013 Warrant List and September, 2013 Payroll as attached to the Minutes.

APPOINTMENT OF CLARKE CATON HINTZ AS ARCHITECTS FOR THE DESIGN OF THE SENIOR/COMMUNITY CENTER

Mr. George Hibbs, Partner with Clarke Caton Hintz, was present with his associate, Michael Sullivan. Mr. Hibbs stated his firm has been involved with this project for many years, and they are pleased to be present this evening to continue the project.

Mr. Hibbs stated they are located in W. Trenton, New Jersey; and are a forty-two person firm with architects, landscape architects, professional planners, and interior designers on staff. He stated they have followed the process of this project, and they feel that the selection of the Samost Tract is a very positive outcome which will make for the best site for the Community Center with its location near the Township Building. Mr. Hibbs reviewed their extensive experience in the design of Senior/Community Centers.

Mr. Stainthorpe stated he understands that they did conceptual work previously for the Township on the Community Center, and Mr. Hibbs stated they were the architects and landscape architects for the Concept Design for the Senior/Community Center/Performing Arts Center in 1998 when the project went up for Referendum. He stated that Referendum did not pass, and the concept was added on to include a gymnasium/activity center component which increased the size of the facility and the overall cost; however, this was also voted down.

Mr. Hibbs stated in its current configuration, the Community Center is proposed to be between 7,500 and 10,000 square feet; and he is familiar with what he believes is the Budget of \$2 million with the \$1 million of Grant money and minimally \$1 million in matching funds. Mr. Stainthorpe stated the liquid funds available are \$1 million. He stated the ground was the Township's match. He stated they would be most interested in keeping the project closer to the \$1 million range, and they may have to make modifications in terms of square footage or design a building that could be added onto in the future. He stated they want to bring the Community Center on line for approximately \$1 million.

Mr. Stainthorpe stated some designs were done in the early 2000s which were to be a Senior Center only, and he asked Mr. Hibbs if they were involved in that project. Mr. Fedorchak stated they were, and it is Mr. Hibbs' firm's Sketch that they have been using over the last few years. Mr. Stainthorpe stated their familiarity with the project is a positive as is the firm's reputation.

Mr. Stainthorpe noted Page #2 of the proposal received which indicates that the Fee excludes LEED Design. Mr. Stainthorpe stated there is a Green Building Ordinance in the Township, and he feels they are required to build to LEED. Mr. Hibbs stated there is a difference between sustainable design and having a project Certified through the LEED process. He stated in order to conserve the dollars for the Certification process, a number of their clients are not submitting the paperwork, but they do have a building that functions, and is sustainable, and over the long haul saves money. Mr. Stainthorpe stated the key is to have a sustainable building that saves money on energy and operation, and he is not concerned about having a plaque.

Mr. Benedetto stated Ms. Beath in her letter he read earlier indicated her concern with the cost, and she indicated it would cost \$150 to \$250 per square foot for the 11,000 square foot proposed building; and he asked if this is accurate. Mr. Hibbs stated this range is within reason for a facility of this type. Mr. Benedetto stated the proposal Mr. Hibbs discussed was between 7,500 and 10,000 square feet, and it would be a one-story building with the potential for expansion; and Mr. Hibbs agreed. Mr. Hibbs stated the way they always envisioned this facility was to construct a building that could be added onto. He stated typically adding onto horizontally at grade is much less expensive than going up. He stated they have indicated it would be a one-story slab on grade building for this proposal since in their judgment this would be the most cost-effective rationale to pursue. He stated when you go to multiple stories, because of ADA requirements, you need two fire stairs and an elevator which adds cost to a facility but you do not get anything back in terms of program.

Mr. Benedetto asked Mr. Hibbs if he has seen the two proposed locations on the Samost Tract; and Mr. Hibbs stated he has and while they have not done an extensive site study, based on his knowledge of the site, area, and building type, it will work on the Tract.

Mr. Benedetto stated the proposed fee is \$115,000 although there are some exclusions. Mr. Benedetto asked if the LEED Certification were included, what would the additional cost be; but Mr. Hibbs stated he would have to consider this and get back to the Board on this. Mr. Benedetto stated they indicated a time frame of six months for the design/construction documents and six to nine months for construction. Mr. Hibbs stated he feels it could be a total of twelve to eighteen months. Mr. Benedetto asked about Permit Application/Filing Fees, and Mr. Hibbs stated he assumes that in this situation they would be waived. Mr. Benedetto asked about materials testing/inspection; and Mr. Hibbs stated he feels this would be minimal, and there should be relatively few special inspections required.

Mr. Benedetto noted full-time representation at the site, and he asked if Mr. Hibbs would be that individual; and Mr. Hibbs stated when he excludes that it is because he would not be on site in the construction trailer every day. He stated they do attend bi-weekly job meetings. He stated he lives in Newtown and his partner lives in Lower Makefield so although they drive by the site every day, he needed to exclude this so the Township knows that he will not be on site seven days a week. He added there will probably be a Project Manager running the job meetings which occur typically every two weeks.

Mr. Benedetto stated the document indicates that “The fee proposal is based on CCH producing one set of construction documents and should the project not be constructed under one Contract ...” and Mr. Benedetto asked for an explanation. Mr. Hibbs stated in some occasions they have had a client that for some reason decided to break out trades and bid the project out this way. He stated this project is a relatively small project so they do not see the savings to break it out in this way. He stated they see this as a general contractor led project.

Ms. Tyler asked how they came up with the lump sum fee, and Mr. Hibbs stated they determine how many consultants they need to hire as part of the process; and in this process they need to hire a mechanical engineer, electrical engineer, plumbing engineer, fire protection engineer, and a structural engineer. He stated this is in addition to what comes from his office which is the architecture and the planning. He stated that is the entire consultant package, and they receive proposals from those engineers and review them to see if they are in line. They then project out the amount of time they will need to invest to properly design, receive Approvals, and manage the construction process. Adding this up brings them to the total sum. Ms. Tyler asked if this is based on the square footage of the project, and Mr. Hibbs agreed. He stated a project of 7,500 to 10,000 square feet will take them less time than if it were a 50,000 square foot project; and they adjust accordingly based on duration of the construction as well as the design process and the scale of the facility.

Ms. Tyler asked what they feel the size should be for this facility given the limited budget. She asked if a 5,000 square foot facility is feasible for this community; and Mr. Hibbs stated while he feels it is feasible, he feels they need to back into the dollar amount. He stated if it is \$1 million, they need to work backwards from there and determine when you subtract out furniture, fixture, and equipment, and projected maintenance costs, this will leave you with a square footage based on projected estimates.

Mr. Dobson stated in the first bullet point on Page #2, Mr. Hibbs has projected six months for the design, and six to eight months for construction. Mr. Hibbs stated he feels it would be a year on the outside depending on the construction climate. He stated construction firms are getting busier, and they are starting to see bids coming in slightly higher.

Mr. McLaughlin stated he wants to make it clear that he is committing to a \$1 million project, and he is concerned when he sees the project estimated to be \$1.5 to \$2 million. Mr. McLaughlin stated he also feels six months for design seems long, and he knows that the Seniors want to see this project get moving. Mr. Hibbs stated the six months is on the outside for design, and he believes that they can come in under this.

Mr. McLaughlin stated he feels \$185 an hour for their fee seems excessive, and he would like to know if there is flexibility in order to get the professional fee down to its most efficient number. Mr. Hibbs stated that rate is an additional service rate, and the \$115,000 number is a lump sum. He stated he will not be billing the Township per hour, and he will need to make sure the projected duration he has in the proposal works. Mr. McLaughlin asked about getting the fee lower than \$115,000, and Mr. Hibbs stated he feels they can work on this.

Mr. Benedetto asked how they selected the various engineers they are using, and Mr. Hibbs stated they have worked with these engineers for years, and they have extensive experience in this project type. Mr. Benedetto stated he is pleased that there will be local people from their firm working on this project. Mr. Hibbs stated they will be overseeing the administration of the construction contract, and they have tried to delineate what this will include.

Mr. John Lewis, 1550 Surry Brook Court, asked if the vote tonight includes the \$115,000 plus the construction fund, and Mr. Stainthorpe stated the vote would be to hire this firm as the architect. Mr. Lewis stated this is a no-bid Contract, and he asked if any other architectural firms were considered for this; and Mr. Stainthorpe stated for professional services the Board is not required to get bids. He stated they did have discussions with the Township engineer, and the fact that this firm had previous experience with this specific project makes a difference, and he also feels that it will save the Township money as another firm would have to get up to speed.

Mr. Lewis stated the Township had the time to consider this for a number of years, and yet there was no RFP for services. Mr. Lewis also stated that the firm under consideration is a New Jersey based firm, and in 2004 they were fired as the Washington Township, New Jersey planner as they violated the Pay to Play Ordinance of the Township with their large donations to the Mercer County Republican Party; and he asked if they can be assured that they will not violate any of our Pay to Play laws in Pennsylvania, and Mr. Stainthorpe stated they can. Mr. Lewis asked if they are currently a contributor to any candidate, and Mr. Stainthorpe stated he had not met Mr. Hibbs until tonight. Mr. Lewis stated in February, 2006 there was a problem with New Jersey based firms coming to Lower Makefield and that there was no bid with Schoor DePalma, and tonight there is a firm coming in which has violated New Jersey Pay to Play laws. Mr. Stainthorpe stated Harold Schoor at that time was under investigation by the U.S. Attorney, and was ultimately found guilty of bribing officials in Monmouth County. Mr. Hibbs stated he does not know the specifics of the case with regard to his firm which was some time ago, but he believes there was a threshold violation of a \$400 contribution instead of a \$300 contribution, although he is not certain. Mr. Lewis stated it was higher than that, and he stated it was \$3,500 or more.

Mr. Lewis stated he feels the Board owes it to the taxpayers to do their analysis before they select a firm without a RFP or bid process.

Mr. Lewis also stated he is concerned about the size of the facility since previously the Seniors were told they would get an 11,000 square foot Center, and now they are down to a 5,000 square foot Center. Mr. McLaughlin stated he does not believe the Board ever indicated there would be an 11,000 square foot facility. It was noted that this figure was reported in the newspaper, however Board members indicated this evening that this figure was never indicated by the Board.

Mr. Lewis stated the Board is not sure how much they are spending or the total size of the project. He stated he knows they have \$1 million from the State and \$250,000 from the Bond Issue. He stated the fee under discussion now is \$115,000; and he asked if the Board is committing that they will not spend more than \$1.1 million. Mr. Stainthorpe stated if it turns out that the project comes in more than they are estimating now, the first avenue would be to look for additional Grant money as opposed to borrowing. Mr. Lewis stated he is concerned about the lack of homework as to the size and scope of the project and also on the impact on the Budget in the future.

Mr. McLaughlin stated they have looked at this, and they feel it is worth it to invest in the Seniors. He stated every other age group in the Township is serviced. He stated currently the Seniors are meeting in the Township Building. He stated they have done their homework on this project including having a Site Selection Committee.

Mr. Lewis stated he feels they should have done an RFP for the architect in the past three years. Ms. Tyler stated this is not a new firm to the Township.

Mr. Zachary Rubin, 1661 Covington Road, stated he was at the Board of Supervisors meeting when there was a presentation for LEEDS Certification, and the indication was that LEED Certification lowers construction costs by using recycled materials. Mr. Stainthorpe stated Mr. Hibbs indicated that sustainable construction techniques do lower costs, and they would apply LEEDS standards to the construction, but would not go for independent LEEDS Certification.

Mr. Rubin stated there were previous meetings about the \$1 million Grant, and some members of the Board of Supervisors indicated if there were cost overruns with the other projects, they might spend \$750,000 for the Community Center. He stated he would like a commitment from the Board that they will spend a minimum of \$1 million on the Community Center. Mr. Stainthorpe stated the total Grant money received was \$2 million, and he would commit that the \$1 million allocated for the Community Center will stay with this project.

Mr. Rubin asked if the \$1 million will go to the construction or will they subtract operating costs, and it was noted it would be for construction. Mr. Rubin stated he feels the \$1 million should be the minimum; and if they want to plan for the future, they should look at a 10,000 square foot building even if it is more than \$1 million as the time to do it is now. Mr. Rubin stated when they sent out a Bond Issue to purchase the new hook and ladder pumper at the Fire Station, they also borrowed an additional \$25,000 to pay for the Sketch for the architectural firm at that time so they have already invested \$25,000 into this project.

Ms. Helen Heinz, 1355 Edgewood Road, stated she assumes Mr. Hibbs is licensed in Pennsylvania; and Mr. Hibbs stated he is. Ms. Heinz stated her husband is currently President of the Bucks County Chapter of the AIA, and she is in favor of using local architectural firms; and she does not feel it would be a disservice to wait a month and bid this out. She stated most of the architectural firms in the southeastern Pennsylvania area have been hard hit by the recession. She stated usually they bid on a percentage of the total cost and include construction management as well.

Ms. Roz Gunshor, 866 Weber Drive, stated Mr. Hibbs mentioned six times other communities that they put Bids out for, and she is confused as to why Lower Makefield is not putting a bid out for this when everyone else does so. She is concerned that they are putting money out for things that the Township does not need such as the Golf Course without the community agreeing to these bonds and this money. She stated she feels they should get Bids to see if this is what they really should be doing.

Mr. John Zack stated he is a fifty year resident of the Township. He thanked the Board of Supervisors for finally getting together and getting a Senior Center. He stated he has paid approximately \$200,000 in property taxes. He stated they have ball fields and other facilities which the Seniors helped pay for, and it is time for the Seniors to get their building.

Mr. Benedetto stated he feels they need an open competitive bidding process on all Township contracts to insure taxpayers dollars are spent wisely; and while he understands that this firm does have a history with this project, he would still like to see this bid out, and he feels waiting a month to get other firms and possibly get a better price would make sense.

Mr. Dobson moved and Ms. Tyler seconded to appoint Clarke Caton Hintz as architects for the design of the Senior/Community Center. Motion carried with Mr. Dobson, Mr. Stainthorpe, and Ms. Tyler in favor and Mr. Benedetto and Mr. McLaughlin opposed.

DISCUSSION OF A CONSERVATION EASEMENT WITH THE HERITAGE
CONSERVANCY FOR THE REMAINING UNSECURED ACRES OF THE PATTERSON
FARM

Mr. Jeff Marshall and Ms. Kris Kern, Heritage Conservancy, were present. Mr. Marshall stated they have been asked to consider if they would help the Township with its goal of preserving the Patterson Farm. He stated the Patterson Farm was purchased in 1998, and through the years, there have been a series of programs to preserve parts of the Farm. He showed a slide with an area in dark blue which is the property that was preserved through the Municipal Open Space Program from the County, and there is currently an Application to the County Agricultural Preservation Program for the area shown in light blue. Mr. Marshall stated the County Agricultural Conservation Easement is an inflexible document, and it is designed to promote and preserve land for agricultural production. He stated it allows for the construction of structures that are in keeping with agricultural production, and allows for a lot of activities which are involved with agricultural production.

Mr. Marshall stated the Patterson Farm is a unique resource that has other conservation values over and above its value as agriculture land. He stated it is iconic for the Township, has historic structures, and scenic views. Mr. Marshall stated he and Mr. Fedorchak have had discussions about putting a Conservation Easement on the land that is not to be included in the Agricultural Conservation Easement to prohibit future development but to allow flexibility that the Township would like to see in terms of the use of the property which may not be allowed under the standard Agricultural Conservation Easement. He stated one such use is the mulch operation which may or may not be allowed, and there are other Municipal activities that occur on the property which are not strictly agricultural and may not be allowed under that Easement. He stated they were approached to come up with a list of restrictions that the Township wanted to impose on the property, but still retain the rights the Township needed to use the property in the best interest of the Township.

Mr. Marshall stated they have drafted a Conservation Easement, and they are present this evening to propose that the Township consider executing that Conservation Easement.

He showed a slide of the property excluding the Satterthwaite property which is not currently subject to either an existing or proposed Conservation Easement; and this is the area they are proposing to put an Easement on. He stated they are using a Model used in Pennsylvania by the Pennsylvania Land Trust Association that gradates the areas. He stated there are areas they should do nothing to, some you can use for agriculture, and the area around the Patterson Farm would be able to be used by the Township as long as it does not have a major impact on the

Conservation values on the property. He stated they could use it for activities which would not be strictly agricultural, but they would put restrictions on it that would prohibit impact on the Conservation values which are identified within the Conservation Easement.

Mr. Stainthorpe stated the Township solicitor has reviewed the document and has a number of questions so that they will not vote to approve this tonight. He stated more discussion will need to take place with Mr. Marshall, Mr. Garton, and Mr. Fedorchak.

Mr. Stainthorpe asked about the \$15,000 fee to be paid to the Heritage Conservancy, and Mr. Marshall stated they are an accredited land trust which means they meet strict National standards which state that you must have the ability to defend and enforce the Easement. He stated they request a one-time endowment which will generate an annuity out of which they pay any legal defense charges and the annual monitoring costs. He stated if the Township makes a request to build something on the property, the Heritage Conservancy would have to spend time to work with the Township to answer those types of questions.

Mr. Stainthorpe stated they have no intention of building anything on the property, and in fact this is why they want to put the Easement on the property so everyone is put at ease. Mr. Stainthorpe asked if the \$15,000 fee is flexible, and Mr. Marshall stated the concern is that they cannot guarantee that future Board members may not want to build something there and they may have to take Township to Court. He stated the \$15,000 creates a fund to provide for this. He stated his own Board asked if they could get more than \$15,000 from the Township, and he advised his Board that the endowment is a calculation.

Mr. Stainthorpe stated he does feel that this is a good way to proceed, although they do have to work out the details. He feels this would put 100% of the Farm under Conservation, and would put it under dual ownership and be truly preserved.

Mr. McLaughlin stated the Artists of Yardley currently operate in the blue area, and he asked if this would be grandfathered in. Mr. Marshall stated he had discussions about this with Mr. Fedorchak, and Mr. Marshall indicated to him that as President of the Heritage Conservancy he does not care about the use as much as the impact of the use. He stated provided you do not have an impact on the ground or the view, the use is not important to them. He stated if the use required additional parking, this is when they would get concerned. He stated they did have a discussion about outdoor sculptures, which may be an issue because the scenic view may be impacted.

Mr. Dobson asked if they proceed with this and a future Board wants to build something on the property, the Heritage Conservancy would indicate they could not do that; and Mr. Marshall stated that is the purpose of this exercise so that there is an independent body which would have the right and the obligation to enforce the Easement in perpetuity. He stated this is why they are requesting money because they have the obligation to do this enforcement.

Mr. Benedetto stated Mr. Marshall discussed minimal, standard, and highest protection areas. Mr. Marshall stated typically the area around existing buildings has the least amount of Conservation value because it has already been altered so it has minimal protection. He stated they do typically prohibit the planting of invasive species and other activities that may adversely impact the rest of the Easement area; but typically they try to have very little interaction with that curtilage. He stated the standard protection area is agricultural land, and land that is working land such as a forest, etc. He stated the highest protection area is an area where they do want man to touch. He noted the area along the woods, and they have discussed delineating that as highest protection area.

Mr. Benedetto noted the five acre Satterthwaite Parcel that has not been included and asked if a future Board would have the opportunity to add it to the blue area if Dr. Bentz does not Appeal or Appeals and loses even though it has been subdivided; and Mr. Marshall stated if the Township is the owner of the parcel, they could add it.

Mr. Benedetto stated it was indicated in the August Minutes that Mr. Marshall had stated that the fee was a minimum of \$12,500, and he understood that this was to go toward enforcement and maintenance; however, Mr. Marshall stated it would go toward enforcement and monitoring – not maintenance.

Mr. Benedetto stated Mr. Marshall had discussed a number of other Easements held in other Townships, and he asked if they are with private landowners; and Mr. Marshall stated they are with private landowners, and they want involvement with the Heritage Conservancy because those Townships do not want the responsibility of monitoring and enforcement, and they want to outsource that to the Heritage Conservancy. Mr. Benedetto asked if they have a relationship with any Township specifically similar to what Lower Makefield is proposing, and Mr. Marshall stated he does not recall any.

Mr. Benedetto stated while he feels the presentation made sense, he feels that the Supervisors are the elected officials and they are to make decisions that they feel are in the best interest of the residents. He stated if they hand over the control of the land, they are handing this over to an un-elected organization; and he is concerned that in the future the Heritage Conservancy may decide what they feel is best for the parcel. Mr. Stainthorpe stated they would not be able to do that without agreement

from the Township since the Township owns the land. Mr. Benedetto noted the farmland to the left of the Satterthwaite Parcel, and stated if someone came in and stated they wanted to use it as pasture, the Heritage Conservancy may say this is a legitimate use. Mr. Benedetto stated he is concerned since Mr. Marshall was present on Dr. Bentz's behalf. Mr. Marshall stated they co-hold Easements. He stated the funding the Township received from the Municipal Open Space Program and the funds to be received from Agricultural Preservation does the same thing which is to give the right of enforcement and right of decision-making to another entity both of which are agencies of the County and not elected officials.

Mr. Benedetto stated he is concerned that this is taking away some of the autonomy of the Township as the property owner. Mr. Marshall stated if someone were to decide in the future that this was the best place for a Senior Center, the Heritage Conservancy would say that is a laudable goal, but the Easement prohibits this and he agrees that by doing this they have taken away some of the Township's rights as a property owner. He stated he believes that the over-arching theme was that the citizens and the Township acquired this for open space, and the Heritage Conservancy would be helping them insure that promise is kept. He stated the Heritage Conservancy has a single priority which is open space.

Mr. Benedetto stated the Heritage Conservancy's Easement is more flexible than the County Easement, and Mr. Marshall stated the Conservancy's Easement will identify what the conservation values are, and as long as they do not impact those values, the Township as property owner has the right to use the property in any way they wish except for that which is prohibited within the Easement. Mr. Marshall stated in the drafting of the Easement they are working with the Township to see what is the vision for the property. He stated the flexibility would be in the creating of the Easement that meets the Township's goals. Mr. Benedetto asked if future Boards would be tied to the language in the Easement, and Mr. Marshall stated they could request an amendment which would be considered by the Heritage Conservancy recognizing that there is a strict amendment policy that they follow. Mr. Marshall stated the purpose is to put another set of eyes on the property.

Ms. Tyler stated she would not want to tie up the Township from using the property for some future use such as building a road for ingress/egress, or use of the barns for Public Works or storage of equipment. She feels they need to have reflected in the document exactly what they are going to do with the road and the barns. Mr. Fedorchak agreed, and he stated that is why it is important if they pursue this that the designation "minimally protected area" becomes quite important as that allows the Township the maximum amount of flexibility within that minimally protected area. Mr. Marshall stated any Conservation Easement will include two categories – one are restrictions and the rest are reserved rights, and the Township lists the rights they wish to be able to preserve. He stated they must decide what

rights the Township wants to reserve, and these should be listed so there is clarity at the outset so someone looking at this at some point in the future will know exactly what is meant. He stated if there is a reserved right that the Township wants to reserve on the property, it should be put in the document as a reserved right.

Mr. Stainthorpe stated there is a lot more work that needs to be done, and he asked the Township Manager and solicitor to work with Mr. Marshall to try to continue to work on this and bring it back to the Board either the first or second meeting in December.

Mr. Benedetto asked how many acres are being considered for this easement, and Mr. Fedorchak stated it is somewhat less than fifty acres. Mr. Benedetto asked why they could not include these acres in the County Agricultural Easement and actually make additional money. Mr. Fedorchak stated because of the nature of the restrictions within the County Ag program, they will not allow the Township's leaf/mulch operation within that Easement which is extremely problematic. He stated any non-agricultural use would not be permitted. Mr. Fedorchak stated what is being proposed with the Heritage Conservancy would be a more viable alternative and give the Township more flexibility to continue to do what they are doing on the property now.

Mr. Mark Moffa stated the County Commissioners met today and chose to table Lower Makefield's Application for the additional Easement. He stated this plan being considered is assuming that the County is going to grant the Easement for the 109 acres and the Township will get the approximately \$900,000, and there is a chance that may not happen.

Mr. Moffa stated with regard to the Satterthwaite property, four of the Supervisors were in favor of Dr. Bentz's plan to have a 24/7 commercial horse hospital on the parcel. He stated the Zoning Hearing Board unanimously voted against that Application. He stated there is a very real possibility that Dr. Bentz will Appeal that Decision, and he asked the Board if they will join her in the Appeal. Mr. Stainthorpe stated he does not expect to join with her in the Appeal, although he does still feel it is a good idea and the best way to preserve the house with private money.

Mr. Zachary Rubin asked Mr. Garton if the County does not come forth with the County Agricultural Grant could they put a contingency clause into the Agreement with the Heritage Conservancy that if the Township does not get that Grant, the Contract would be null and void. Mr. Garton stated they could do that or they could elect to amend the Agreement with the Heritage Conservancy to add the additional land that the County chose not to accept so that there is some protection over it.

Mr. Rubin asked the Board if they have proposed a contingency plan for the Patterson Farm if the County does not come forth with the County Agricultural Grant. Mr. Stainthorpe stated he does not know why it was tabled today; but he feels they will come up with some way to preserve the whole Farm.

Ms. Heinz asked if they could see a copy of the proposal from Mr. Marshall, and Mr. Garton provided a copy to Ms. Heinz this evening. Ms. Heinz stated with regard to the Satterthwaite parcel, it disturbs her that they are leaving this out and someone could tear down the House and put up an office building on this five acre piece. Mr. McLaughlin stated he does not feel they could construct an office building on this parcel since it is not Zoned for that use. Ms. Heinz stated she feels they should be able to sell the parcel with the Conservation Easement on it.

APPROVAL OF RESOLUTION NO. 2269 FIXING THE TAX RATES AND SPECIAL LEVIES AND ADOPTING THE 2014 BUDGET

Mr. Fedorchak stated with respect to the Real Estate Taxes, for the General Fund they are establishing a rate of 10.85 mills, for Debt 1.55, for Fire Protection .9 mills, for Hydrant .29, Park & Rec 1.28, Ambulance and Rescue .25 for a total of 15.12 mills. Mr. Fedorchak stated as noted earlier that rate has stayed at 15.12 mills for the last six years. Mr. Fedorchak stated the Per Capita Tax is \$10 for every resident over the age of eighteen. There is a Street Lighting assessment of \$.26 per liner foot. He stated not everyone in Lower Makefield pays this assessment, and you have to be within 250' of a street light to be assessed this amount; and approximately 855 property owners pay this assessment. Mr. Fedorchak stated the Leaf/Recycling Collection Assessment will remain at \$50 a year. The Local Services Tax will remain at \$52 per year. He stated this Tax was started in 2010, and they generate approximately \$240,000 a year in revenue from this.

Mr. Fedorchak stated with regard to the Budget, the Preliminary Budget was introduced at the September 18 Board of Supervisors meeting. It was immediately posted on the Township Website, and it was available at the Township Building. He stated since then the Board of Supervisors has conducted two Public Hearings at which time they discussed the individual Budgets with the Department Heads and made changes as they saw fit.

Mr. Fedorchak thanked the Township's Citizens Budget Committee for their work on behalf of the Township adding that for a number of years they have worked behind the scenes on a number of projects related to the Township Budget. He stated Joe Menard has been the Chairman of the Committee for a number of years serving with Rodger Owen, Ethan Shiller, and Bill Clark who have worked hard on a number of projects and are a valuable asset to the Administration and the Supervisors.

Mr. Fedorchak stated as a result of meetings with Department Heads and the Boards' reduction in Expenses, they have reduced the General Fund variance to approximately \$79,000. In the process, they have also increased the projected 2014 General Fund year end balance to approximately \$1.69 million. He stated this compares to the balance in 2009 of \$922,000, 2010 of \$1.1 million, and 2011 of \$1.6 million. He stated at this point the Township is well ahead of previous years, and they have been trending upward for the most part over the last five to six years. Mr. Fedorchak stated the \$1.69 million represents approximately 16% of General Fund Expenses. He stated the auditors recommend a Safe Harbor of between 5% to 8% so the balance is at least double what is recommended.

Mr. Fedorchak stated overall across all twenty funds this is a \$26,267,000 spending plan. The 2014 projected year end Fund Balance across all funds is approximately \$6.3 million. He stated in 2009 that number was \$6 million, in 2010 it was \$5.5 million so they are maintaining a balance well in excess of where they were a few years ago. He stated that number of about 24% of Expenses is significantly above what the auditors would consider Safe Harbor.

Mr. Dobson stated the Veterans Committee has raised a lot of money in the past few years and worked very hard to build the monument. He stated the Board has made donations in the past, and he moved to amend the Budget to include a donation to the Veterans Committee in the amount of \$20,000 so they can build the monument. Mr. Benedetto seconded the Motion, and the Motion carried unanimously.

Ms. Tyler moved and Mr. Dobson seconded to Adopt the Budget.

Mr. Benedetto stated originally the deficit was \$90,000, and he asked what was done to reduce this; and Mr. Fedorchak stated it was mostly in the area of Public Works. He stated they reduced Repairs and Maintenance since they had set aside \$150,000 for various improvements to Township facilities so it was therefore not as necessary to spend as much in Repairs and Maintenance. He stated the Utilities were also reduced because they are going to get a new natural gas fired boiler for the Township Building so there will be significant savings in utilities.

Mr. Benedetto stated they did have some small additions including an increase for the Animal Control Officer. Mr. Benedetto stated \$100,000 was added for the ball fields; however, Mr. Fedorchak stated that was included in the original submission. Mr. Fedorchak stated also included in the Budget was \$700,000 which was set aside for the road resurfacing program.

Mr. Benedetto asked the dollar amount equal to one mill, and Mr. Fedorchak stated it is \$506,000. Mr. Benedetto asked the Debt Service millage, and Mr. Fedorchak stated it is \$1.55. He stated they had reduced the Debt Service millage by approximately .35 and shifted that into the General Fund. Mr. Benedetto stated .35 is approximately \$175,000, and Mr. Fedorchak agreed. Mr. Benedetto stated his concern is that one of the transfers in the Budget is the Patterson Farm Fund of \$250,000 which is beyond the .35 millage so they are reducing that debt by the Patterson Farm paying the \$250,000 with money they are not even certain they have yet because that is an inter-fund transfer from Patterson Farm to the General Fund. Mr. Benedetto asked what will happen if that money does not come through. Mr. Fedorchak stated he did not put that on the Debt Service side. Mr. Benedetto asked how they reduced the Debt Service by .35, and Mr. Fedorchak stated over the last three years there have been a number of refinancings they have engaged in, and now they are realizing the benefits. Mr. Fedorchak stated it is his recommendation that the \$250,000 be transferred to Debt Service since they still have approximately \$2.7 million left on the Patterson Farm issue. He stated it would be \$50,000 a year over the next six years, and that is when that debt will be retired. Mr. Fedorchak stated the number he is citing of \$2.7 million is just the Patterson Farm piece.

Mr. Benedetto asked if the Township does not receive the money for the Conservation Easement, will they have to reopen the Budget; and Mr. Fedorchak stated they will not.

Mr. John Lewis stated there was not a vote taken on publishing the Budget at the September 18 meeting. He stated it just appeared in the Bucks County Courier Times seventeen days ago. He feels there has been a rush to get the Budget approved which is not typical since it usually comes in November or December. Mr. Stainthorpe stated they were able to get it done earlier. Mr. Lewis stated today they found out that they are not going to have \$1 million coming from the County, and they are not getting \$250,000 from the horse hospital; and he asked why this is still in the Budget. Mr. McLaughlin stated the Easement was only tabled, and it was not included in the Budget. Mr. Lewis stated there is a Patterson Farm fund; however, Mr. Stainthorpe stated it is not related to the Agricultural Easement, and it is money that was set aside for the Patterson Farm. Mr. Lewis asked where is the inflow from the County Agricultural Easement, and it was noted it has not been included.

Mr. Benedetto stated in the Patterson Farm Revenue, the Grant money is \$720,000 so it is in the Patterson Farm Fund. Mr. Fedorchak stated it was promised that if they were to receive that money, they would establish a special fund that would be dedicated just for the Patterson Farm; and they have done this.

Mr. Lewis stated they are looking at 5% of the Budget which they do not have approval for yet, but they are including some portion of it - \$750,000 of the \$1 million they are anticipating from the County Ag Easement, and this is in the Budget. He stated if that does not come through, they will have to re-open the Budget. Mr. Fedorchak stated he does not feel that will be necessary. He stated they will make adjustments if necessary.

Mr. Lewis stated the Budget has only been published for nineteen days, and they are rushing to get this done. Mr. Stainthorpe stated they had two Budget Workshops and public input, and they are ready to proceed. Mr. Lewis asked if it is reasonable to pass a Budget where a good portion of the Budget is not at all certain and not at all likely to occur. He stated they do not know why the Easement was tabled or how long it will take. Mr. McLaughlin stated no expenditures are related to that money. Mr. Fedorchak stated this money is not in the General Fund, and it is a stand-alone fund; and if they do not receive the money, that fund will go away.

Mr. Benedetto stated the inter-fund transfer of \$250,000 would have to be found somewhere, and they are voting on whether or not to approve that amount. He stated if the \$720,000 does not come through, they will not be able to transfer \$250,000 from a Patterson Farm Fund that has no money other than what Mr. Stewart and Bright Farms pay.

Mr. Lewis stated he feels they should wait for approval on the County Easement before they vote on the Budget. He stated he does not feel the Board has been very transparent in the process. He stated they did not advise that the Easement was tabled, they are “shifting money left and right,” and a lot of residents are concerned about this. He stated he feels they should wait another meeting and give the residents the chance to review the revised Budget. He stated it was revised this evening.

Mr. McLaughlin stated they are way above Safe Harbor at 16% and are not raising taxes. Mr. Lewis stated he is concerned about transparency. Mr. Benedetto stated he feels the Budget should be published and put on the Website, and people should be more informed about it.

Mr. McLaughlin stated they had two Budget sessions and only three people attended, two of whom were on the Citizens Budget Committee. He stated they did advertise both of these meetings, and they were transparent. He stated the Supervisors, Department Heads, and the Chief of Police were all present at the Budget meetings. Mr. McLaughlin stated he feels the assessment of the residents being very concerned is disingenuous. He stated he has not received one email

about the Budget. He stated there was also very little comment when they discussed the Budget in September. He stated the only comments they are hearing are from Mr. Lewis and Mr. Moffa who are candidates for Supervisor.

Mr. Lewis asked if there has been a Budget in the past decade that has been passed in October, and Mr. McLaughlin asked if he is chastising the Board for being efficient. Mr. Lewis stated he feels they should be transparent since the Board did not technically vote to publish the Budget at the September 18 meeting. Mr. Fedorchak stated at the first Budget meeting, the Board adopted the Preliminary Budget and voted to have it advertised. He stated he introduced it at the September 18 meeting, and the Board voted on it at the first Budget Workshop so they did comply with the Second Class Township Code. He stated the Budget has been available for more than twenty days, and in fact has been available for thirty days. Mr. McLaughlin stated there is a Recorder at the Budget Sessions taking notes.

Mr. Lewis stated he is concerned about how much time people had to review the Budget, and if they can pass a Budget when 5% of the Budget is an unknown. Mr. Fedorchak stated he feels they are attaching too much significance to the Patterson Farm Expense Fund and the money that the \$720,000 they anticipate receiving. He stated the way the Budget is structured if they receive that money it is a bonus, and there is no other Fund where the expenses are dependent on receiving that \$720,000. He stated it would be very helpful to have an additional \$720,000; but it will not have a material negative impact on the 2014 Budget if it were not received.

Mr. Benedetto stated he will vote against the Budget because while he feels they will get the money from the County, he is not in favor of taking \$250,000 out of the Patterson Farm Budget when they do not know what will happen with the Satterthwaite parcel and because they would not deplete the Golf Budget. He stated he will not vote to deplete the Patterson Farm Budget, as there are needs on the Farm. He stated he is concerned about using the \$250,000 to pay down Debt Service. He stated he feels they should take \$100,000 from the Golf Budget because they have \$700,000, and they should use it for the ball fields. He stated if they took \$100,000 from the Golf Budget and put it in the General Fund, they would be in the black since currently they are approximately \$100,000 in the red passing this Budget. He stated it was \$78,000 plus the \$20,000 that was just approved for the Veterans monument. Mr. Fedorchak stated he would recommend that they take that out of the Capital Reserve Fund.

Mr. Lewis stated this is his concern about transparency. He stated they are now moving funds around. Mr. McLaughlin stated these issues were discussed at the Budget Sessions which were public meetings with a recorder. Mr. Lewis stated now they have \$720,000 that they do know that they can account for, and they have a Budget deficit of \$100,000. Mr. McLaughlin stated the money has not gone away, and at this point it has just been tabled. He also noted that a Budget is a guideline. He stated the Manager and the Board make adjustments when things happen. He stated they could have a number of winter storms, or they could have a tremendous Grant awarded.

Mr. Fedorchak stated there is an operating variance in the General Fund of \$79,000; however, at the end of 2014, they anticipate having a Fund Balance of \$1.69 million. He stated he feels that is the number they should be focusing on. Mr. McLaughlin stated this is why he is okay giving the Veterans group \$20,000 because they are that far ahead of Safe Harbor. He stated the Township has performed exceptionally well. He stated they have done a good job of building up the reserve.

Mr. Lewis stated they have not made it easy to find the Budget, and you have to do a search on Google and “dig into the Website,” as it is not on the front page.

Mr. Zachary Rubin stated in the Budget under the Township of Lower Makefield 2014 Annual Operating Budget, the Patterson Farm Revenues and Expenditures are included. He stated it says that the funds available if they get the Easement Grant is \$766,100 and it also says Expenditures in that fund are \$469,300 which leaves an excess of \$296,800. He stated when they discuss the \$1.6 million in the Reserve, this is a “Rainy Day Fund” from previous Budgets.

Mr. Rubin stated in the Patterson Farm Expenditure, there is a line item about the Conservation Easement Fee of \$30,000; and he asked if this is part of the \$15,000 to the Heritage Conservancy. Mr. Fedorchak stated that is what he estimated the cost would be for the Heritage Conservancy, and tonight Mr. Marshall clarified what that number would be so that number would be reduced from \$30,000 to around \$15,000. Mr. Rubin asked if the survey was part of this, and Mr. Fedorchak stated the County did that part. Mr. Rubin stated if they do not sign a Contract with the Heritage Conservancy, that Fund Balance will reflect that \$30,000; and Mr. Fedorchak agreed.

Mr. Rubin stated he did not see an Expenditure for a Finance Director, and he asked if they have Budgeted a Finance Director for next year; and Mr. Fedorchak stated they have not.

Ms. Kathy Kraeck, Vice President of the Veterans Square Foundation, thanked the Board on behalf of the Foundation for the very generous \$20,000 donation to help them get the Monument built. Ms. Kraeck stated they anticipate that they still need about \$30,000, and they have had some nice donations within the last few weeks. She stated they will not know the exact cost until they bid the project. She stated they are in the transition of separating from the Community Foundation to their own Foundation, and they are making preparations to bid the project by the end of the year. She stated they hope to break ground in April, and would like to be able to build the entire monument in April; but this depends on how the bids come in. She stated they have been working almost five years to make this a reality, and the World War II Veterans who are still in the Township will be able to enjoy it with the whole community. She stated Pennsbury will be holding a concert on February 5 to help them. She also noted that the Veterans Parade will be November 10, and she invited the community to attend.

Ms. Kraeck was thanked for all the work she has done.

Motion to approve the Budget carried with Mr. Benedetto opposed.

Mr. McLaughlin moved and Ms. Tyler second to approve Resolution #2269 Fixing the Tax Rates and Special Levies.

Mr. Benedetto asked if the Community Center is beyond the \$250,000 that was in the Bond reflected in the Budget, and Mr. Fedorchak stated he does not believe so.

Motion carried with Mr. Benedetto opposed.

PENSION OBLIGATION DISCUSSION AND MOTION

Mr. Fedorchak stated in accordance with Act 205, the Township has to file by September 30 the MMO which is the Pension obligation for the following year. He stated with respect to the Police the 2014 obligation is \$671,390 which is Budgeted in the 2014 Budget. He stated with respect to Non-Uniform, the amount is \$398,139. He stated he is making two recommendations which have already been incorporated as part of the MMO – one is an early retirement incentive and the second is an employee contribution to the Pension program. He stated he feels both of these items will have a significant positive result on the Personnel costs bottom line. He stated with respect to the early retirement incentive, the actuaries have costed this out and it will be in the area of approximately \$36,000. He stated when they transition from existing employees to new employees, they will realize some significant savings because they will have new employees who will be paid a lower salary. He stated a few years ago with full-time employees they went from a

defined benefit to a defined contribution plan which saves on average \$3,000 per employee which is a permanent savings. He stated in the case of at least two positions, they will be transitioning from full-time employees with benefits to part-time employees without benefits. He stated conservatively he projects savings of approximately \$66,000 per year. He stated with regard to employee contributions to the Pension program, Lower Makefield has not had this until now. He stated they are currently negotiating a new Contract with the Police and with Public Works. He stated number one on their list of proposals is employee contributions to the Pension program. Mr. Fedorchak stated there is a third group of employees – Administrative Non Union of which there are approximately seventeen, and he is recommending that they start the process of a 3% employee Pension contribution for that group beginning January, 2014.

Mr. Benedetto stated the Budget indicates that the Township received a State Pension Aid Grant for \$410,000 in 2013 which goes toward the payment of the Township's MMO Pension obligations, and a similar amount has been budgeted for 2014. Mr. Benedetto asked if that number will go down, and Mr. Fedorchak stated they should still receive that money. Mr. Garton stated in the future the actuarial needs upon which the expenses are driven will be reduced because the number of participants in the Pension will be reduced. Mr. Benedetto stated he sees that for Non-Uniform there is a 77% funding ratio and 69% for Police which are considered high funding ratios. Mr. Benedetto stated the Budget showed an increase of 2% in personnel costs, and he asked if that reflects any of the cost savings with Pension costs or is this just salaries, and Mr. Fedorchak stated this is just salaries.

Mr. McLaughlin moved and Mr. Dobson seconded to approve the early retirement incentive and 3% employee Pension contribution beginning January, 2014.

Mr. Rubin asked if the Police Contract has expired, and Mr. Fedorchak stated it will expire at the end of the year. He stated they are negotiating for 2014 and beyond. Mr. Rubin asked if it would go to mandatory arbitration if there is an impasse, and Mr. Fedorchak agreed. Mr. Rubin stated since Budgets are flexible, the Budget may have to reflect some amendments if it goes to arbitration. Mr. Rubin stated there were problems with the arbitration with the firefighters in the City of Philadelphia which took years to resolve in the Courts. Mr. Fedorchak stated they have had a good track record with the Police Department over the years; however, Mr. Rubin stated this was when they did not have to contribute to their Pensions.

Mr. Benedetto asked if any of the non-uniform employees or Police contribute to their health benefits, and Mr. Fedorchak stated they do not other than through co-pays and deductibles – not toward their premium.

Motion carried unanimously.

AWARD CONTRACTS FOR LEAF COLLECTION AND SNOW PLOWING

Mr. Kevin Kall was present. He stated with regard to the leaf pick-up bids he is requesting that the Board approve Corcoran Landscaping and Ken's Landscaping. He stated the requirements in the Contract this year called for a twenty yard tow-along leaf collection box with a self-contained vacuum. He stated the hourly rate for Corcoran is \$125 and for Ken's Landscaping it is \$153 per hour.

Ms. Tyler moved and Mr. Benedetto seconded to approve the Bids as noted by Mr. Kall.

Mr. Benedetto stated in the past there were complaints about contractors using small trucks to handle the work load, and he asked what has changed in this Contract to be approved. Mr. Kall stated a twenty-yard collection box can be dumped four to six times throughout the course of a day and the tag-along vacuum would take ten to twelve times a day and does not collect as much as a tag-along self-contained leaf collection box so this has been written into the contract this year. Mr. Benedetto stated he feels Public Works and Mr. Kall have done a great job working on the inefficiencies of the past.

Motion carried unanimously.

Mr. Kall stated with regard to snow plowing all the Contractors being recommended for approval were utilized by the Township in the past, and the Township has the right to utilize as many resources as possible. He read the list of contractors and the prices for each.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to award the Contract as recommended by Mr. Kall.

STORM PREPAREDNESS SEMINAR UPDATE

Ms. Tyler asked Mr. Kall to provide an update on tomorrow evening's Storm Preparedness Seminar. Mr. Kall stated Ted Durand, the Governmental Affairs representative from PECO, will be present to make a presentation on PECO's enhancements to their system reliability within the past ten months to correct some of the problems they have had in the Township as well as reinforce their system. He stated Public Works will also discuss their readiness plan going forward into hurricane and winter storm season. Ms. Tyler stated it will be held in the Township Building tomorrow evening at 7:00 p.m.

APPROVE GRANT OF EXTENSION TO JOSEPH JENNINGS, FIRST BAPTIST CHURCH OF NEWTOWN T/A GRACE POINT AND FIELDSTONE AT LOWER MAKEFIELD (QUAKER GROUP)

Ms. Tyler moved, Mr. McLaughlin seconded and it was unanimously carried to grant Extensions to the following:

Joseph Jennings (Jennings Tract) - January 31, 2014
First Baptist Church of Newtown t/a Grace Point - January 15, 2014
Fieldstone at Lower Makefield (Quaker Group) - January 31, 2014

Ms. Helen Heinz stated the Fieldstone project has been going on since 1986 and she asked for an update. Mr. Garton stated today there was a meeting with the Township engineer, Ms. Frick, and Mr. Bray. He stated Beazer Homes has entered into an Agreement of Sale with Quaker to buy the property, and their Plan reduces the density by about 10%. He stated the next step is the Plan will be fully vetted before the EAC as far as the landfill issues and will go before the Planning Commission. Ms. Heinz asked if Hovnanian still involved, and Mr. Garton stated they are not.

SUPERVISORS REPORTS

Ms. Tyler stated on Saturday, November 16, the EAC will hold a bird migration lecture in the Township Building which is a free seminar, and information will be posted on the Website.

APPROVE CONTRACT FOR HOME ELEVATION AT 1451 RIVER ROAD A/K/A 1451 ROBINSON PLACE

Mr. Fedorchak stated the Township has been successful in securing Grants through FEMA to assist homeowners in elevating their properties. He stated they have secured three Elevation Grants along River Road and one Acquisition Grant over the last three to four years. He stated tonight he is asking that the Board award a Contract for another home elevation.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to Award the Bid for the elevation of the existing house at 1451 River Road a/k/a 1451 Robinson Place Bid Items 1 through 21 inclusive and Item 28 to Sakoutis Builders & Land Developers in the amount of \$201,823.90 subject to the receipt of the balance of the property owner's share of the project cost in accordance with the

Reimbursement Agreement between the property owner and the Township and that the Township waive the portion of the Responsible Contractor Ordinance that requires a thirty day review period to determine whether they are a qualified/responsible contractor and the twenty-one day public review process.

POLICE REPORT

Mr. Benedetto noted a recent article in the newspaper about the Lower Makefield Township which did an outstanding job apprehending some robbers. Captain Roche described the apprehension which involved the Canine Unit.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Dobson moved, Ms. Tyler seconded and it was unanimously carried to re-appoint Dave Rogers to the Disabled Persons Advisory Board.

There being no further business, Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to adjourn the meeting at 9:55 p.m.

Respectfully Submitted,

Dan McLaughlin, Secretary