

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 19, 2012

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 19, 2012. Chairman Stainthorpe called the meeting to order at 7:30 p.m.

Those present:

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

Others: Terry Fedorchak, Township Manager
 John Koopman, Township Solicitor
 Judy Stein-Goldstein, Township Engineer
 Kenneth Coluzzi, Chief of Police

Absent: Jeff Benedetto, Board of Supervisors Treasurer

PUBLIC COMMENT

Ms. Denise Cram and Ted Kompa, 1150 Waterwheel Drive, were present. Mr. Kompa stated they are immediately adjacent to the Samost Tract. Ms. Cram asked for information about the recent dumping of scraped roadway from Mill Road and from behind the Public Works building. Mr. Fedorchak stated it is their intention to use the millings for the parking and roadways leading up to the new baseball fields that will be constructed sometime next year. He stated they will use those materials for the base in order to save money. Mr. Stainthorpe stated they are building two new baseball fields where the mulch piles are currently located, and construction will probably start in the spring. He stated they wanted to use the millings for the parking lot and driveway. He added they have no intention of making the location where they are currently a permanent “dumping” place, and this is temporary until it is used for the construction of the parking facilities for the ball fields. Ms. Cram asked if there is any intention to move the mulch pile to this location of the tract; and Mr. Fedorchak stated with the construction of the baseball fields, they will have to move the mulch piles. He stated there was at some point consideration of moving them to the south side of the lot; however, at this point, they are leaning toward the Snipes Tract as being the alternate location. Ms. Cram stated they would not want to see the mulch pile adjacent to the homes in her area; and Mr. Fedorchak stated they are sensitive to this, and they are looking at an alternate site on the Patterson Farm and more recently looked closely at the Snipes Tract.

Mr. Fedorchak stated they still have things to work out in terms of Permits from PennDOT, etc. Mr. Kompa stated currently the roadway waste is so close to their home that they see it constantly. He stated it is not more than thirty to forty yards away from their home, and it is very unsightly. Mr. Kompa stated it is also not clean because of the chemicals and oil; and because there is a low spot, the water could leech further toward their home. Mr. McLaughlin asked if there is a different location on Samost that would not be so close to the homes where this could be located, and Mr. Fedorchak agreed to look into this.

Ms. Donna Doan, 1584 Edgewood Road, stated earlier this year she had asked to be provided with the paperwork concerning the Patterson Farm condemnation; and the Township provided her with approximately thirty pages of documentation that they said was all the documentation available. Ms. Doan stated this past week she asked to be provided with the Lease for the Bright Farms greenhouse, and it was fifty-five pages of documentation just for the Lease of four acres. Ms. Doan stated she Appealed to the Office of Open Records in Harrisburg to get all the documentation pertaining to the condemnation of Patterson Farm, and the Township Manager provided an Affidavit indicating that there was no other documentation. Ms. Doan questioned that there were only thirty pages of documentation.

Ms. Doan stated she understands that the Township is trying to raise funds because there is a lot of debt being carried including the Golf Course which costs over \$500,000 a year just in the interest on the loan; however, she does not feel the Patterson Farm is the place where the Township should be looking to raise funds. Ms. Doan stated Bright Farms will pay only \$20,000 per year, and for that they will see the construction on preserved farmland of a business that does not require soil. She stated it is insulting to see some of the best farmland in the State going underneath a building being built that does not require soil to produce food. She stated she feels it is suspicious that the Township Board has pressed for this when the community has come out and said they would prefer that Bright Farms be built on a brown fields area where they could re-purpose land that is not suitable in any other way for the production of food.

Ms. Doan stated there is also a commercial use of the Patterson farmhouse by the Artists of Yardley who pay no rent. Ms. Doan stated she feels the \$20,000 in income that will be received from Bright Farms would have been better if it had been received from the Artists of Yardley by charging the same \$1,600 a month for the Patterson farmhouse, and they would then not have the destruction of the farmland and the cutting of the two hundred year old trees they experienced over the Labor Day weekend.

Ms. Doan stated she feels there is a push behind the development of the Farm that makes her ill at ease when she sees the friendly relationship between the developers and some of the members of the Board of Supervisors.

Ms. Doan stated the Artists of Yardley will be holding a celebration which will draw about five hundred people; and she suggested to the Township that if all those attendees were charged \$10 to park, they could raise funds that would help to preserve the Farm rather than tearing apart and subdividing the Farm.

Ms. Doan stated it is also suspicious that if a hydroponic greenhouse was what the Township wanted, it should not be a New York City company that was called upon to provide that service. She stated they already have that service at Shady Brook Farm, and she feels there are farmers in Bucks County, local residents, and local taxpayers who could have provided that service. Ms. Doan stated she is uncomfortable with the fact that the developer owns property adjacent to the Farm. She stated looking at the Bright Farms Lease, she feels they have made themselves quite protected from any kind of responsibility to the taxpayers of the Township. She stated they have gone to an out of State LLC. Ms. Doan stated for the Township Board to entangle the taxpayers with this kind of situation is wrong. She stated they do not know if this will be a profitable endeavor. She stated the Lease states that Bright Farms is supposed to put up money to remove the greenhouse in ten years, but no one on the Board will be present in ten years. Ms. Doan stated it also indicates that a Letter of Credit is acceptable, and she feels there is not much thought being given to the preservation of the Farm, and it is all about aiding and assisting the developers. She stated many, many residents of the Township have come before the Board stating that this is the wrong thing to do.

Mr. McLaughlin questioned how many residents have come to the podium indicating this is wrong. He stated many residents have come to the Supervisors and applauded them about Bright Farms. He stated the Board understands that Ms. Doan is not in favor of Bright Farms, but there has not been an outcry against it. Mr. McLaughlin stated Ms. Doan is the only person who has implied “suspicious, corrupt behavior” because they are putting up a hydroponic farm on farmland. Mr. McLaughlin stated it is not “shady” that they have incorporated outside of Pennsylvania as 99.9% of corporations do incorporate outside of Pennsylvania. Mr. McLaughlin stated Ms. Doan should not imply that the Board has acted in any way suspiciously or in a corrupt manner.

Mr. McLaughlin asked Mr. Fedorchak the dollar amount of renovations done by the Artists of Yardley at the Farm, and Mr. Stainthorpe stated the last amount he saw was \$35,000. Mr. McLaughlin stated this is a donation to the Township that the Township will get to keep. Ms. Doan stated the Lease says they do not have to pay rent; however, Mr. McLaughlin stated the Lease also says that they are required to do renovations and maintenance to the property. Mr. McLaughlin stated the Artists of Yardley are dedicated to education, children, artists, and furthering the quality of life.

Ms. Doan stated it is no secret that there are associations on the Board of Supervisors that should have made members of the Board recuse themselves from voting on certain things. Ms. Doan stated Mr. Dobson sits on the Board of the McCaffrey Fund. Mr. Dobson stated he sits on a 501C3 for which he receives no compensation. Ms. Doan stated she feels this is a “cozy” relationship, and she questions why Mr. McCaffrey is not building the project on his own land. Mr. Dobson stated Mr. Allan, not Mr. McCaffrey, asked him to serve on that Board. Mr. Dobson asked that Ms. Doan limit her comments to something new as Ms. Doan continually repeats the same comments.

Ms. Doan asked for an update on the Conservation Easement Application for the Patterson Farm; and Mr. Fedorchak stated the Township staff and Boucher & James, the Township engineers, continue to work on this project, and he anticipates this will be discussed by the Board of Supervisors at their second meeting in October. Ms. Doan asked that the Township re-examine all projects for the Farm because from what she has seen it is not in keeping with the original spirit of the condemnation that the Pattersons had to endure at the hands of the Township, and they wanted their Farm preserved for agriculture and not construction projects.

APPROVAL OF MINUTES

Ms. Tyler moved, Mr. Dobson seconded and it was unanimously carried to approve the Minutes of September 5, 2012 as written.

APPROVAL OF AUGUST 20, SEPTEMBER 4, AND SEPTEMBER 17 WARRANT LISTS AND AUGUST, 2012 PAYROLL

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to approve the August 20, September 4, and September 17 Warrant Lists, and August, 2012 Payroll as attached to the Minutes.

DISCUSSION AND MOTION ON SITE FOR PROPOSED COMMUNITY/SENIOR CENTER

Mr. Stainthorpe stated they have asked Judy Goldstein of Bouche & James to make a presentation. He stated there was a Committee which made a recommendation to the Board in February; but the Committee was divided on a site, and there was not a majority opinion. Mr. Stainthorpe stated he wanted the engineers/planners to be involved and look at this from an outside perspective. He stated Ms. Goldstein visited the site, and is an expert in park and recreation.

Ms. Goldstein stated the Site Selection Committee included five members who met extensively over a seven month period, and they did an in-depth analysis of the sites. Ms. Goldstein stated she was able to review all the information that they gathered, and it was very useful. She stated the Site Selection Committee reviewed a total of thirteen sites, nine of which they considered unsuitable. She stated this left four sites – the Patterson Farm barn re-use, Samost Tract, Snipes Tract, and Veterans Square. She stated the Committee did not reach a unanimous consensus in prioritizing the top four sites. She stated Samost Tract received three priority one votes and Veterans Square received two. She stated the Snipes Tract received four priority two votes and Patterson Farm barn re-use had four priority four votes, which is the lowest priority.

Ms. Goldstein reviewed the criteria she used in her analysis using her planning/park and recreation background without emotions or any agenda. This included the physical location which included the proximity to other Municipal services and access both vehicular and pedestrian. She stated it also included parcel size/configuration including the ability to accommodate programs and the potential for future expansion. She stated it is never prudent to build the most on the site in Phase I as they do not know what will happen in the future. She stated she also looked at the availability and location of utilities. Ms. Goldstein stated she also considered environmental resources on the site, the potential impacts of development to the resources, and the potential Permits that would be required both from an environmental standpoint and a cost standpoint with regard to Permits. Ms. Goldstein stated they also looked at general compatibility with Township Planning and Zoning regarding general consistency with the Township's Comprehensive Plan and looking at issues that would be in contradiction to the Zoning Ordinances noting that most of the sites would require at least one Variance. She stated they also looked at general compatibility with surrounding land uses. She stated some items in this regard may be both a pro and a con since proximity to a residential use is a positive in the fact that people could walk to the site, but it is also a negative since not everyone wants to live adjacent to a recreation site. Ms. Goldstein stated they also looked at the potential for shared services/amenities such as parking and the ability to get staff back and forth. She stated they also looked at the magnitude of potential costs although they did not do any cost analysis, and they looked at magnitude only. She stated this would be site specific costs and the potential for additional or unknown costs depending on the site. She stated they also considered whether the site would be in compliance with the RACP Grant provisions since this is being done through a RACP Grant.

A map was shown of the potential site locations in context with the Municipal Complex.

Ms. Goldstein stated she does a “triage” approach to her analysis to see what would be the best site. She stated she reviewed the data compiled by the Selection Committee and then limited her analysis to their top four sites. She stated she did a cursory review of the data with respect to each site and found that one site appeared to have more potential issues/concerns than the other three sites; and this was the Patterson Farm barn reuse.

Ms. Goldstein stated with regard to the Patterson Farm reuse, she was concerned with the potential cost of building renovations. She stated it is an existing two-story building with approximately 4,000 square feet per floor. She stated it would require ADA requirement compliance and significant renovations including an elevator and ramps.

She stated they have an architect on their staff who has a great affinity for barns and their restoration, and indicated that this would be the project that would have the most hidden costs because of unknown structural items that could come out while doing the demolition and renovations. She stated this site would be unique in the group of four with these potential hidden costs. She stated there are also known hard costs including utility extensions which are a minimum of one third mile of sewer extension and one quarter mile for water for this site. She stated there would also be the need to widen the existing 1,000 linear foot long driveway which is currently 10' to 12' to 24' to provide for two lanes to get in and out. Ms. Goldstein stated there would also be impacts to farmland and wetlands which would require Permits. She stated a Use Variance would also be required although Variances would be required for almost all of the sites. Ms. Goldstein stated this site did not receive a priority one or priority two vote from any of the Selection Committee members. She stated it did receive the most priority four votes which was the lowest priority.

Ms. Goldstein reviewed the Site Selection Criteria which was used to analyze the sites by the Site Selection Committee. She stated the requirements were that it be five acres minimum, 300 foot minimum lot width, 100 foot minimum building setback, one parking space for each 3 seats provided, and a permitted use in the C-1, R-4, and TND Overlay Zoning Districts.

Ms. Goldstein showed a slide of the typical building/site layout that was from the Site Selection Committee. She stated she did not get into any site details or design and only used the information that had been prepared previously.

Ms. Goldstein showed an aerial view of the Samost Tract along Oxford Valley Road showing a potential site for the Center and parking. Mr. McLaughlin asked if there was not also an alternative location on the Samost Tract; and Ms. Goldstein stated there were actually five to six configurations. She stated one configuration had a potential connection to the Fred Allan Softball Complex with a potential for shared parking. Ms. Goldstein stated they would consider an exact location on the site if they were to agree to proceed with the Center being at the Samost Tract.

Ms. Goldstein stated for each of the criteria they were analyzing, they considered the pros and cons of each site. She stated on the Samost Tract the pros included central location, proximity to the Township Campus, adequate area for future expansion, potential for shared parking for events, public water available in Oxford Valley Road, no environmental restrictions/impacts, compatible with the surrounding park and utility uses, proximity to residential use, and no PennDOT Permit required. She stated cons included

the need for a Use Variance and setback variances which all sites would require, proximity to residential use which could be seen as a con by some people, and the 250' +/- sanitary sewer extension required depending on where the building is located.

Aerial views of the Snipes Tract were shown showing two potential locations. She stated pros for using the Snipes Tract included the fact that there is an adequate area for future expansion, water available in Quarry Road, it is generally compatible with the surrounding uses, and proximity to some residential use. The cons included the fact that it is not centrally located and it is the most remote of the four sites they looked at. Other cons include the sanitary sewer extension required would be greater than 300' depending on where the building is on the site, and potential environmental impacts for steep slopes and the need to disturb mature trees. She stated a PennDOT Permit would be required. She stated a Use Variance and setback Variances would be required. She stated it is also in proximity to residential use which appears both as a pro and a con.

Ms. Goldstein stated the third site they looked at was the Veterans Square site, and an aerial view of that site was shown. She noted the proposed Veterans monument is also shown on this slide. Ms. Goldstein stated pros for this site include its location adjacent to the Veterans Monument since it could be a shared use of a site. She stated it is a central location in the Township. She stated there is the potential for shared parking with the Monument, utilities are available at the site, and there would be no environmental impacts or restrictions. She stated it is also generally compatible with the surrounding uses, and a PennDOT Permit would not be required. Ms Goldstein stated the cons include the fact that it is the smallest site in that it is only 2.87 acres, and there would not be enough land for future expansion. She stated Variances would be needed for lot size, side, and rear setbacks.

Ms. Goldstein showed a slide of their Summary of Analysis and Conclusions indicating that all three sites have advantages and disadvantages and a Center could be built on any of the three sites; however, based on their analysis from a community planning perspective, she feels Samost would meet the most criteria and has the most positive attributes. She added that any of the three sites could be potential sites. She stated Patterson Farm re-use would not make the grade.

Mr. Stainthorpe stated this evening it is only a site selection, and they do not have a design for a building at this time; and much more work needs to be done. He stated before they can move forward, they need to know where they are going to put the building. He stated they do not yet know how large the building will be or where there will be lights. He stated this will be determined once a site is selected, and there will be ample opportunity for public input as they proceed. He stated once there is a design, it will have to go through Land Development as would any other development. He stated they have a \$1 million Grant available, but when you start constructing a building, this is not a lot of money. He stated they would not want to choose a site which would require

too much being spent on infrastructure, grading, and getting the site ready as they want to have as much of the money going into the building as possible. He stated the Board is committed to doing this without raising taxes which means not putting a lot of additional funds into this project. Mr. Stainthorpe stated they had used a building design which was done approximately eight years ago as a guideline, and this was 10,600 square feet; however he feels they will build something significantly smaller than this initially based on the amount of funds available. He stated the ability to expand is critical. He stated they want to get the most then can with the money available going toward the actual recreational uses.

Ms. Tyler noted the Veterans Square location and noted the area where Edgewood Road ends just beyond the pocket park, and she asked if it would be possible to turn this into a one-way roadway. Ms. Goldstein stated they have not studied this; and while there is an engineering solution for everything, she is not sure that this would be the best solution. She stated she understands Ms. Tyler's concern with the traffic at that location. Ms. Tyler stated she is also concerned about the future development of Edgewood Village. Ms. Tyler stated coming up Edgewood Road with Veterans Square on the right, as you get to the end of Edgewood Road, you can make a right or left onto Yardley-Langhorne Road; and this is a difficult left turn to make. She stated she has concerns about placing the seniors in this area especially considering the future development of Edgewood Village. She stated it might be of benefit to make this one way back toward the Township Building so that you could only make a right turn onto Edgewood at that location.

Ms. Tyler stated they currently have the Farmers Market at Veterans Square, and she asked Ms. Goldstein if she foresees this as something that could continue there if the Community Center were to be built at that location. Ms. Goldstein stated this would be compatible with the Community Center use, but it is a matter of how much land would be required for the Farmers Market and whether it could fit in with the area that is left. She stated the site is only 2.87 acres, but she does not believe the Farmers Market takes up a significant area on the site. Others in the audience indicated it takes up more than half the site.

Ms. Tyler asked about the Variance needed for the side and rear yard setback at Veterans Square, and asked if large Variances would be required. Ms. Goldstein stated the setbacks would be reduced, but it would not be something that would be unheard of in a Village atmosphere which are more tight knit and buildings are closer to the property lines; and it would not be unusual given what is in that area.

Ms. Tyler noted the Samost Tract and asked if there would be a problem with the proximity of parking and the ball fields. Ms. Goldstein stated the area which is a problem is the area that is closer to the ball fields. Ms. Tyler stated on the slide, two parking areas were shown; and Ms. Goldstein stated this was one of the sketches from the original study, and she believes it was contemplated that they would have both parking areas.

Ms. Goldstein stated they would have a total of one hundred two spaces with sixty-three in the larger area. She stated the other configuration for this Tract showed one longer, linear parking area. Ms. Tyler asked if the alternate configuration alleviates or creates a greater parking versus ball problem; and Ms. Goldstein stated it would be neutral since both locations are remote enough from the field that there would not be a conflict with softball.

Mr. McLaughlin asked which site would need the least infrastructure in terms of grading, sewer and water extensions; and Ms. Goldstein stated it would be Veterans Square because there would be no extensions needed for utilities. She also stated that because it is a small lot size, the building would be closer to the road. Mr. McLaughlin asked if it would be significantly less expensive than the other two sites, and Ms. Goldstein stated it would be marginally less expensive and would probably be less than \$20,000.

Mr. Dobson asked about the PennDOT Permit requirements, and Ms. Goldstein stated this refers to whether or not the site is fronting on a PennDOT road as opposed to a Township Road. She stated if it is fronting on a PennDOT road, it would require a PennDOT Highway Occupancy Permit.

Ms. Helen Heinz, 1355 Edgewood Road, stated she is speaking on behalf of Mr. Benedetto who sent her an e-mail yesterday and asked that she read it tonight; and she read into the record his e-mail which is attached to the Minutes.

Mr. Stainthorpe stated while Mr. Benedetto is not present this evening to respond, he wants to make sure that everyone knows that this is being considered transparently; and while they may or may not vote on this tonight, they will listen to everything being said. He stated Mr. Benedetto made reference to the Master Plan, but there is nothing in the Master Plan about a location for the Center. Mr. Stainthorpe stated last week he did ask the Township Manager to send out a letter to the effected neighborhood although they are not required by law to do so. He stated it is expensive to do this, and they do it when they can even though it is not required by law. Mr. Stainthorpe stated they would like to get input this evening; and if they feel they need to continue the matter to get additional input, they will or they may decide that they do not need to continue the matter.

Ms. Heinz stated the Historic Commission was in favor of the Veterans Square site because of the benefits of the walking Village plan. She stated there is a potential accommodation with Mr. Troilo and the adjacent lot. She stated part of the problem of coming up with an assessment for the land which Mr. Benedetto requested is because she does not believe the Township actually paid for it as there was a swap of land because the Township actually owned the piece of land where the CVS is located, and Mr. Troilo bought the land from the Valley Day Center where the old Edgewood School was located. In the 1990's the Township swapped that piece of land. She feels they could do an assessment of what the CVS land is worth and come up with a reasonable appraisal for the land. She stated possibly there could be access through that site and shared parking with Mr. Troilo. She stated they wanted to encourage as much as possible shared parking through the Village. She stated she also discussed with Mr. Santarsiero about five years ago the possibility of a raised parking structure on that site with the possibility of having the market underneath the square in a porch off of a parking structure.

Ms. Heinz stated in light of the fact that Mr. Benedetto brought up the issue about the Referendum and the fact that people had voted it down, she feels it was not the cost of the building that people objected to but rather it was the cost of the on-going maintenance and staffing. Because of this she would encourage the Board to go to volunteer staffing and use other than Township resources to staff it going forward as this ends up being the most expensive cost.

Mr. McLaughlin stated the Veterans Committee, although they did not participate in the site selection, were vehemently against the Senior/Community Center at that location as they did not feel it would be in the spirit of the Veterans Memorial, and there would be a decreased sense of reverence if the Center were at that location. He stated he was their liaison, and this weighs heavily with him.

Ms. Linda Oberkofler, 587 Saxony Lane, stated she would be affected by the Center at the Samost Tract. She stated she takes offence to the comment made that they would not be impacted by the environment, and she would rather look at trees and grass than a building and parking lot; and Ms. Goldstein stated she had indicated that it would have no impact to the environmental resources. Ms. Oberkofler stated Ms. Goldstein also indicated that there would be shared parking, and Ms. Goldstein stated there is the potential for shared parking with the Fred Allan Complex and the Township Building. Ms. Oberkofler stated during the evening there is barely enough parking for softball; and if the Seniors are using this at night, there is going to be overflow into the street. Mr. Stainthorpe stated there will probably not be any use by the Seniors in the evening as virtually all of their activities take place during the day. Ms. Oberkofler stated she is concerned that this could change in the future. Ms. Goldstein noted that when she was discussing overflow parking and potential for shared parking, this would be for special events only. Ms. Oberkofler stated softball currently does not have enough parking, and now they are saying they will share the parking. Ms. Tyler stated they would be

providing additional parking spaces for the softball events. Ms. Oberkofler stated she does not feel the additional one hundred and three parking spaces will help for the special events. She stated they also park where the new ball fields are going to be built. She stated she is also concerned about traffic.

Mr. John Oberkofler, 587 Saxony Lane, stated the proposed Center would be directly in his back yard. He stated they did not get any notification and had heard nothing about this until five days ago. Ms. Tyler stated they did announce at the last Supervisors meeting that they would be discussing this tonight. Mr. Oberkofler stated he is concerned about the traffic which has increased tremendously since they moved to their home eleven years ago. He stated this will be a very difficult place for Seniors to pull in and out of because of the traffic. He asked if they will expand the roads and install a light. Mr. Stainthorpe stated the Seniors themselves will not generate a great deal of additional traffic since their activities are almost exclusively during the week. Mr. Oberkofler stated this is not just a Senior Center, and Mr. Stainthorpe stated it will primarily be a Senior Center although it will be open to other community uses. Mr. Oberkofler asked if they will be taking down the trees that are in front of the water tower, and Mr. Stainthorpe stated they will not. He stated the Center could be built in front of or along side of those trees adding that they do not yet know the size of the building. He stated Ms. Goldstein had indicated that one of the reasons they liked the site was because it did not disturb any of the trees.

Mr. Oberkofler stated this Center was voted down twice, and he asked why they are proceeding with this. Mr. Stainthorpe stated the Referendums on this took place in the 1990's and were both on very specific buildings having a specific size, design, and dollar amount. He stated the purpose of the Referendum was to give authorization to borrow the money, and they were both voted down. Mr. Stainthorpe stated in this case, the Township has received a \$1 million Grant from the State. Mr. Stainthorpe stated he believes that the Seniors are underserved in the community as there are numerous ball fields and parks for children but nothing for the Seniors. He stated they are currently meeting in the Township Building which is totally inadequate. He feels a Senior Center is something the Township should have. Mr. Stainthorpe stated Referendums in Pennsylvania, except for Bond offerings, are non-binding. He stated the Board is elected to make hard decisions, and he feels Referendums are used when the Board is afraid to take a stand that might be unpopular. He stated at least twelve years have passed, and it is a different community with a growing Senior population, and he feels they deserve a decent place to meet. Mr. Stainthorpe stated he is in favor of doing it with State funds without raising taxes.

Mr. Fedorchak stated the first Referendum which was voted down was for a \$5 million building which was a combination Senior/Community Center and a Performing Arts Center. He stated the second Referendum was for an \$8 million facility that included Performing Arts, offices, Senior/Community Center and two to three basketball courts

with a multi-purpose component. He stated what is being discussed this evening is a structure that will cost approximately \$1 million so it is decidedly different than the previously-considered buildings. He stated there were also no Federal funds involved in either of the prior structures considered.

Mr. Oberkofler stated there has been discussion about future expansion, and he asked how they would pay for this. Mr. McLaughlin stated they are only stating that they should have a facility, if the time is right, that could be expanded; but this does not mean they currently have any plans to expand it. He stated there are limited funds, and this is only happening at this time because the funds came from the State. He stated without the Grant, they would not be building the Center.

Ms. Catherine Beath, 1049 Countess Drive, asked about lighting since lights will destroy the quiet neighborhood. She stated she is also concerned about traffic. She stated if the Seniors are there during the day, this is when there is the most traffic. She also asked about the need for so much parking if the Seniors are only going to be there during the day. Mr. Stainthorpe stated there are parking requirements in the Ordinances. He stated if the building is smaller than 10,000 square feet, they would have fewer parking spaces. Ms. Beath stated she is concerned about this amount of asphalt. She stated she appreciates the Veterans Committee's concern about reverence for that site, but there is a Farmers' Market held there so it is not that the site is not being used. Ms. Beath stated she is also concerned about on-going expenses. Mr. McLaughlin stated the Township has done a great job about spending, and Mr. Fedorchak had indicated they were back to 2008 spending levels. He stated there are a lot of recreation facilities for others, but not for the Seniors who have been asking for a Center for a long time; and he feels it is fair and equitable to give them some of the recreation funds.

Mr. Greg Caiola, 929 Pickering Drive, stated he is Commissioner of PAA and has also been a strong supporter of the Community Center. He stated his biggest issue with the Samost Tract is accessibility and safety for those using the facility. He stated the times when they have parking issues at that location is when they have their largest tournaments; and they understand that if a Community Center goes in at that location, they may have to alter some of the things they do with the larger tournaments. He stated PAA will try to be flexible. He stated he is assuming they were considering a 10,000 building when they looked at all of the sites, and Mr. Stainthorpe stated this was the model that was used. Ms. Tyler stated at this point she feels it would probably be a 7,000 square foot building that could be put up with the \$1 million Grant. Mr. Caiola stated this would then give them more room if they were to put the building at Veterans Square. Mr. Caiola stated PAA wants to make sure that if something is built at Samost that the discussion about parking, size of the building, etc. includes input from PAA so it is safe for everyone to use the property. Mr. Caiola stated PAA would be in favor of the Center at Samost provided it does not negatively impact what PAA is trying to do with their program.

Mr. Robert Smith, 1476 Brookefield Road, PAA representative, stated there were two Grants, one of which was to build ball fields also on the Samost Tract; and they believe that the two projects can be compatible although it was difficult to envision the relationship between the ball fields and the building on some of the slides they saw. He stated possibly they could provide an overlay to help show the perspective of what the site will look like once both projects are completed. Mr. Smith stated he is in favor of the concept of shared parking.

Mr. McLaughlin asked Mr. Caiola if he sees the building at this location working as a positive for the tournaments as it could be used for meetings, storage, etc. Mr. Caiola he stated other user groups would also like additional meeting rooms so that they do not have to use the Municipal Building. Mr. Caiola stated his personal opinion is that he loves the idea of having the Center at Veterans Square since this would bring more people to that location; but if there is an overwhelming sentiment to have it at Samost, they need to work together on how all of the organizations can use this same piece of property.

Mr. Caiola stated the next PAA meeting on Thursday, October 11 will be an acknowledgement of the Division winners in all age groups; and he invited the Board to attend.

Ms. Goldstein stated the design plans shown in the slides were ones that were done by the Site Selection Committee and are not true design plans. She stated that Mr. Benedetto had made a comment in the letter read by Ms. Heinz about the incompatibility of a Community Center and a park; and she stated that in the thirty years she has been involved with park and recreation and landscape architecture and a parent who has gone to softball fields throughout the Country, some of the best parks are ones that involve a Community Center and an active recreation park. She noted a number of parks she has been involved with, and she added that when a Community Center is incorporated into the park design, there is a synergy when there are special events. She stated both PAA and the Community Center could get a lot out of this as it brings people into a building that they normally would not go into and makes them aware of the programs being offered by the community.

Mr. Frank Fazzalore, 921 Queens Drive, stated he was a member of the Site Selection Committee and the Veterans Committee. He stated he was violently opposed to the Veterans Square site for the Center because when he was told the overflow parking for that site would be the Woodside Presbyterian Church, he was very concerned about Seniors walking across that road. Mr. Fazzalore stated he has been fighting for a Center for ten years, and he thanked the current Board for proceeding as this is the closest they have come to having a Center. He also thanked the Board for recognizing that the Seniors in the community are greatly ignored. He asked everyone to come on a Wednesday morning to see what they have to do to use the room and added it is crowded.

Mr. Fazzalore stated he is in favor of the Samost Tract based on the pros outlined by Ms. Goldstein. He stated the Seniors have also advised that they would like to have something close to the Municipal Building since they are used to this location and know how to get here. He stated he hopes the Board makes a final decision shortly.

Ms. Gail McPhaden, 280 Marble Court, thanked the Board of Supervisors for supporting the Seniors. She stated she feels everyone in the community will benefit from this Center. She stated approximately 20% of the Township residents are in the Senior age group. She stated the Senior group did a lot of research, and she was on the Location Committee. She stated there has been a Seniors Group in Lower Makefield for seventeen years. Ms. McPhaden stated she is getting frustrated since it has been two years since it was announced they were going to have a Senior Center. Ms. McPhaden stated she is very much against Veterans Park because it has been identified as being for the Veterans and because of the size and location noting the Disabled Committee was very much against this site.

Mr. John Zack, 10 Morningside Drive, asked Ms. Heinz when Mr. Benedetto sent her his letter, and Ms. Heinz stated it was sent yesterday. Mr. Zack stated he is confused by this since he spoke to Mr. Benedetto today, and he indicated he was going to vote for the Samost Tract. Mr. Zack stated he feels the location of the Samost Tract is ideal because it would be in the center of the community that the Seniors helped established. He stated Lower Makefield is the only area community that does not have a Senior Center; and to get funds from the Pennsylvania Lottery, you need to have a building. He stated if they have a Center, more Seniors would come out rather than staying home and give them a better life. He stated the ideal tract is the Samost Tract as Ms. Goldstein's charts have demonstrated.

Mr. Jim Bray, Chair of the EAC, stated when the Site Committee could not come to a clear-cut decision on a site, the EAC discussed this and felt that it may be a good idea for the EAC to look at some of the sites. Mr. Bray stated he discussed their plans with Chairman Stainthorpe who felt it was a good idea. Mr. Bray stated he and Mr. Dresser visited all four sites. He stated they discounted the Patterson Farm site for the same reasons that Ms. Goldstein did this evening. He stated they feel the Veterans Square site is very problematic because of some severe stormwater management issues in this area. He stated they feel the Center at that location would exacerbate those problems. He stated it would also be difficult to stretch the 2.87 acres into \$1 million which would be the Township's share of the Grant. Mr. Bray stated the EAC was split between the Samost Tract and the Snipes Tract. He stated they like the Samost Tract because no trees or vegetation would have to be removed; however, during the site visit, they were not in favor of the specific location on the Samost Tract that the Board was looking at tonight. He stated they favor a location much further down toward Edgewood Road; and if this would involve some ball fields being moved so be it. He stated the reason they like that

site is because it is away from any residential areas, and the ball fields could be put behind the Center. Mr. Bray stated second best was the Snipes Tract. He stated this is a difficult decision, and he feels the Board will take the common good and come up with the best decision they can.

Mr. Harold Koopersmith, 612 B Wren Song Road, stated Mr. Benedetto had indicated in his letter that the cost for construction would be \$125 per foot; but he would also like to know about the costs for maintenance and who will maintain it. He stated the Supervisors have no money. Mr. McLaughlin stated the Township does spend money for parks and recreation, and the decision as to where they spend that money is the job of the Board and the Township Manager. He stated they feel that some of this money should go to the Seniors, and currently very little of it goes to the Seniors but a lot of money goes to other facets of the park and recreation system. Mr. Dobson stated it will be a reallocation of funds. Mr. Koopersmith thanked the Board, Mr. Santarsiero, and the Governor for the Grant.

Ms. Sue Herman, commended the Site Selection Committee for doing a great job. She asked if there is an opportunity to get working meetings together from the stakeholders including the PAA, EAC, and the Seniors, and making sure that they are fluid with this and have it be a Senior/Community Center so that all age groups can benefit. She asked if they have considered what kind of expansion they might want to the 7,000 square foot building adding that this should be part of the site selection criteria. Ms. Goldstein stated the building footprint on the plan used was 10,600 square feet. Ms. Herman asked if this would be the biggest they might want to go and could they do this on all three sites. Ms. Goldstein stated this was the one that was shown on the three sites. Ms. Herman stated she feels the stakeholders should meet with the Site Selection Committee and the Supervisors so that they can understand which would provide the most safety, community feeling, etc.

Mr. Stainthorpe stated he would be reluctant to form another Committee to further discuss this. He stated he would like to get to a decision as quickly as is reasonable. Ms. Herman asked if the Site Selection Committee could ask for additional criteria from each of the stakeholders. Ms. Herman stated Mr. Bray had indicated that the EAC had an idea as to where on the Samost Tract might be the optimal place. Mr. Dobson stated they are not deciding on an exact location on a site but are only choosing which site.

Mr. McLaughlin stated the Site Committee did include two Park & Rec members, two Seniors, a representative from the Planning Commission, and the Disabled Persons Advisory Committee, and their job was to liaison with other including the athletic organizations, Veterans, etc. He stated this was the reason why they put those people on

the Committee. Ms. Goldstein stated the Committee was a representative cross section of the potential users and Boards and Commissions in the Township, and they spent seven months looking at the sites in the Township and performed a lot of analysis and a lot of data was gathered. She stated she used a lot of what the Committee did in her analysis.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, stated once the Seniors have a building, they can apply for funds to help with the expenses. Ms. Torbert commended Ms. Goldstein for an excellent presentation. Ms. Torbert stated she has always felt that Samost was the only possible location. She stated she feels Veterans Square is too small, and the Veterans do not want it there. She stated Snipes is too remote and does not have the infrastructure around it. Ms. Torbert stated she would prefer that it be on Samost facing Edgewood Road. She stated while she sympathizes with all the neighbors, she has lived in the Township on a farm for some time, and she had a farm behind her farm which was a beautiful view but there is now a development there. She stated people need to realize that everything surrounding them will not remain the same. She stated the Samost Tract is a Municipal Complex, and she knows that the Board will work with those surrounding it as they have in the past to buffer parking lots, etc.

Ms. Karen Friedman, 1373 Pepperbush Court, stated she feels it is exciting that they are at this stage with the project. She asked that the Planning Commission have an opportunity to weigh in on this and added they could consider it at their meeting on Monday night to offer their opinion if this might be of value to the Board before they vote.

Ms. Heather Krotz, 623 Saxony Lane, asked the Board to consider the safety and traffic. She stated the sidewalks are on the opposite side of the Samost Tract. She stated she is concerned about the quality of her life daily with the traffic and the safety of their children who use the bike path. Mr. Stainthorpe stated whatever site they select will have to go through the Land Development process where the details will be discussed such as lights, safety, traffic, sidewalks, etc. He stated the quality of the residents' daily life is critically important to the Board. He stated as much as they want to have a Senior Center, they want it to be something that the whole community is proud of and welcomes and will be an asset that makes the community better.

Mr. Greg Braun, 1020 Yorkshire Drive, stated he knows this has been discussed for years. He stated he is a fifty year residents, and he feels sorry for the Seniors who have been putting up with this for many years. He stated he is against the Samost Tract being used for this. He stated they see the ball fields being used all the time, and it is a big deal when they have the big events. He stated they should consider what would be the easiest project to get through so that the Seniors have a place to go, and he knows that there will be people from his community across from the Samost Tract who will be against this and it will cause problem.

Mr. Zachary Rubin, 1661 Covington Road, stated he takes exception to the approach being taken on the parameters being set on the financing. He stated he has heard that they have \$1 million, and they are not going to spend any more than that; however, he stated he feels there should be a needs assessment of what the community needs in terms of a **Senior/Community Center**, and there should be a cost/benefit analysis done. He stated he does not feel they should be limited to \$1 million. Mr. Rubin stated there is discussion about a future expansion, and it is always more expansive to have a future expansion than if they do an original development. He stated the money going out in the bond market is the cheapest that it has ever been, and he feels they should not be limited by the \$1 million. He stated if they are going to build the Center, they should do it right and by going out to the bond market, it would be relatively inexpensive to the taxpayers to fund it if it is more than \$1 million. Mr. Rubin stated when the Township built the Golf Course, the Club House was built too small for the needs of the Golf Course; and there cannot be weddings, anniversaries, Bar Mitzvahs, etc. there because it is not big enough. He stated the Club House should have been built bigger at the time.

Ms. Gudrun Alexander, 256 S. Fieldstone Court, thanked the Board for proceeding with this.

Mr. Stainthorpe stated after review, he feels the Samost Tract offers the most flexibility, is in the heart of the community, and is land designated for recreation. He stated he does feel they need to be sensitive to the needs of the neighbors. He stated he would be willing to vote on this tonight.

Mr. Dobson concurred with Mr. Stainthorpe and stated he feels the Samost Tract makes the most sense. He stated he is prepared to vote this evening; however, he also wants to make sure that it is put in a place that is not obtrusive to the residents, and he feels the site is large enough to do so. He stated they also need to consider traffic and safety, and he looks forward to working through that process with PAA, the community, and whoever wants to be part of this.

Mr. McLaughlin stated he has struggled with this and initially he felt Veterans Square was the better site; however, as they have discussed this he feels it would be better to change to Samost because of safety concerns at Veterans Square. He also stated Memorial Park is underutilized because of its location. He stated adjacent to Samost there is a good infrastructure system with the Pool, the park, and the baseball fields; and it is a natural fit where people are already. He stated people already in the area will be able to use the facility. Mr. McLaughlin stated he does not want the Seniors in Edgewood Village with the increase in traffic with the future development in this area. Mr. McLaughlin stated he lives in the area near the Samost Tract so he wants to make sure that this project is done right.

Mr. Dobson moved, Ms. Tyler seconded and it was unanimously carried to move forward with the Community/Senior Center on the Samost Tract.

Mr. Fazzalore thanked the Board on behalf of the Seniors.

APPROVAL OF RESOLUTION NO. 2253 TO CONDEMN FOR OPEN SPACE AND FLOOD MITIGATION PURPOSES THE PROPERTY AT 196 RIVER ROAD

Mr. Fedorchak stated one month ago he reported to the Board of Supervisors that the Township received a \$378,000 Grant from FEMA to acquire this piece of property which is located north of the Woodside intersection with River Road which is an area which is quite prone to flooding. He stated they will close on the property on Friday. He stated the purpose of the Resolution is to allow the Township to avoid having to pay Deed Transfer Tax.

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to approve Resolution No. 2253.

APPROVE REQUEST FOR WAIVER OF IMPERVIOUS SURFACE COVERAGE AT 2080 TWINING ROAD

Mr. Stainthorpe stated certain developments have impervious surface requirements on the Plan and this Waiver cannot be done by the Zoning Hearing Board but must be done by the Board of Supervisors. He understands that this only increases the impervious surface by approximately 1%, and the residence is well under the limit.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to approve the Waiver request at 2080 Twining Road to replace an 8' by 10' shed with a 12' by 24' shed.

GRANT EXTENTION TO FIELDSTONE AT LOWER MAKEFIELD

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to grant an Extension of time to Fieldstone at Lower Makefield to January 31, 2013.

Mr. Koopman announced that the Board met in Executive Session before the public session to discuss potential litigation matters.

ZONING HEARING BOARD MATTERS

With regard to the Dean Hess, 923 Weber Drive, Variance request to reconstruct an existing three-season room resulting in increased impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried that the Township participate in the Andrew and Dorrie Myers, 1511 Bray Lane, Variance request to permit a lot line change which will result in a **non-conforming** lot.

Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried that the Township participate in the Jeffrey and Lynelle Hoch, 1513 Bray Lane, Variance request to permit installation of a combination retaining wall/fence to be located in the rear/side of the yard.

With regard to the Newtown Office Development IV, LP. Variance request for the property located at 1050 Stony Hill Road, Special Exception to permit a medical office use in the O-R District, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Makefield Woodside, LLC Variance request for property located at the northwest corner of Stony Hill Road and Langhorne-Yardley Road to provide parking area for a children's fitness center, it was agreed to leave the matter to the Zoning Hearing Board. Ms. Heinz asked for further information about this facility, and Mr. Stainthorpe stated this is the building that is being built behind the Bank in Edgewood Village.

SUPERVISORS REPORTS

Ms. Tyler reminded the residents that the Artists of Yardley Harvest Night will be held on Saturday, September 22 at the Patterson Farm and residents are encouraged to attend. She also noted Harvest Day in Yardley Borough will be held that day as well. She stated the Seniors Boutique will be held on October 20.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Ms. Tyler moved, Mr. Dobson seconded and it was unanimously carried to re-appoint Jerry Gruen to the Zoning Hearing Board.

Ms. Tyler moved, Mr. McLaughlin seconded and it was unanimously carried to re-appoint Anthony Zamparelli to the Zoning Hearing Board.

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Ms. Tyler moved, Mr. Dobson seconded and it was unanimously carried to appoint Mark Moffa to the Zoning Hearing Board.

Mr. Stainthorpe noted that Mr. Moffa is currently an Alternate to the Zoning Hearing Board and it moving up to a permanent member.

There being no further business, Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 9:50 p.m.

Respectfully Submitted,



Dobby Dobson, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS
 Pete Stainthorpe, Chairman
 Daniel McLaughlin, Vice-Chairman
 Dobby Dobson, Secretary
 Jeffrey Benedetto, Treasurer
 Kristin Tyler, Supervisor

**AUGUST / SEPTEMBER 2012 WARRANT LIST AND
 AUGUST 2012 PAYROLL COSTS FOR APPROVAL
 SEPTEMBER 19, 2012 BOARD OF SUPERVISORS MEETING**

Accounts Payable Warrant Report:		
Printed Checks:		
08/20/12 Warrant List	\$	1,377,399.53
09/04/12 Warrant List	\$	333,925.66
09/17/12 Warrant List	\$	146,855.67
Manual Checks:		
08/20/12 Warrant List	\$	-
09/04/12 Warrant List	\$	4,085.00
09/17/12 Warrant List	\$	2,700.00
Total Warrant Reports		\$ 1,864,965.86
Payroll Costs:		
August 2012 Payroll	\$	538,883.51
August 2012 Payroll Taxes, etc.	\$	217,239.82
Total Payroll Costs		\$ 756,123.33
TOTAL TO BE APPROVED		\$ 2,621,089.19

