

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES - JUNE 19, 2000

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on June 19, 2000. Chairman Hackman called the meeting to order at 7:35 p.m. noting that the Board had been meeting in Executive Session for one hour to discuss legal and personnel matters.

Those present:

Board of Supervisors: Wesley Hackman, Chairman  
Frank Fazzalore, Vice Chairman  
Fred Allan, Member  
Grace Godshalk, Member

Others: Terry Fedorchak, Township Manager  
Jeffrey Garton, Township Solicitor  
Jan Gouza, Township Engineer  
Joseph Bainbridge, Acting Chief of Police

Absent: Scott Fegley, Supervisor

PUBLIC COMMENT

Mr. Jim McCaffrey stated he is asking that the Board of Supervisors oppose any retail development on the Bellemead Tract proposed by the Matrix Corporation. He stated he is concerned with the financial impact on the three local shopping centers. He feels what is being proposed by Matrix is a regional center which will have a regional draw. He stated the current centers draw from the local community, and he feels the large regional centers will have a devastating impact on the three local supermarkets which are anchors for the three local shopping centers. He stated traffic at the regional center will also be a major problem because of the existing traffic already on Oxford Valley Road. He also noted the number of vacant buildings in shopping centers in the area at the current time. Mr. Hackman stated the Board is very much aware of the traffic situation at the current time. The Township's traffic consultant is looking at the numbers Matrix has provided. Mr. Hackman stated Matrix has taken over the Bellemead property. The Township had an Agreement with Bellemead that called for office only, and Matrix is trying to convince the Township to change the Agreement to permit retail. The current Zoning Ordinance does permit retail in this entire area so they could scrap the Bellemead Agreement and come in with retail. If they do, the new Ordinance does have quite extensive environmental

controls, and they would not be able to build as much square footage as under the Bellemead Plan. Mr. McCaffrey stated C-3 Zoning does allow for a large retail store but does not specifically indicate that stores are permitted or a shopping center. He stated only C-1 permits shopping centers.

Mr. Garton agreed that it does say large retail store, but they could break it out to a subdivision. Mr. Hackman stated the Board is also considering changing the Ordinance; but the problem with this is that they would have to provide that type of development in some other part of the Township, and there are not many other areas in the Township where they could provide for this use. Mr. Allan stated he has gone on record with his concern with the traffic and his concern with the impact on the quality of life in the Township.

Mrs. Godshalk noted the limitation on hours of operation for the existing shopping centers was the result of Court Orders, and there is no such Court Order restricting the hours of operation for the parcel under discussion. She stated she would be in favor of reducing the size of the buildings and suggesting that the large stores take over some of the vacant buildings in the area. She noted the developer has indicated they wanted to build the retail first, and she is concerned that a good office complex will not want to be located in an area where there are retail stores. Mr. Fazzalore stated he is concerned with the comment made by the developer's traffic engineer that retail would generate less traffic than office use. Mr. Fazzalore stated he does not feel this would be the case during most of the times other than peak hours.

Ms. Diane Mayes stated she provided the Board of Supervisors information on a Senior Citizen Center, and she asked that the Board keep in mind the need for a Senior Citizen Center in the Township.

Ms. Sue Herman asked for an update on CAU and Newtown Office Commons. Mr. Garton stated they have not heard from PennDOT's Hearing Officer on the Hearing for CAU. The Township's traffic consultant has been provided a copy of the Newtown Office Commons' letter and is reviewing Mr. Kaplan's letter regarding their report for the purpose of providing a response. Mr. Garton stated he has received a Plan showing a 60 foot wide easement on one end which appears to be one suggestion as to how they will deal with traffic. They have not been able to get a copy of the PennDOT permit yet. Mr. Hackman stated he did speak with Mr. Goodnoe and told him it would be a good idea for them to meet and discuss the Plan they have seen for Newtown Office Park, but he has not received a response.

Mr. Mark Cherkiss stated he was present on behalf of his wife who is a tenant at the Oxford Oaks Shopping Center and is



concerned with the impact of the additional retail center proposed for the area. He added that as a Township resident he is also concerned with the traffic in the area.

Ms. Joan Weingrad asked if there is something in the law proposed to be passed by Governor Ridge which could be used in relation to the Matrix development, and Mr. Hackman stated he does not feel it will have an impact, although they have not yet received the final copy. Mr. Garton stated he did not feel it would have an impact on this matter, although it will be considered if it is relevant.

Mr. Len Franckoviak asked the status of the speed indicator equipment, and Acting Chief Bainbridge stated the manufacturer has advised that it is on its way, and he anticipates arrival shortly.

#### APPROVAL OF MINUTES

Mr. Allan moved, Mrs. Godshalk seconded and it was unanimously carried to approve the Minutes of June 5, 2000 as written.

#### SOUTH CRESCENT BOULEVARD STOP SIGNS STATUS REPORT AND MOTION REGARDING CLOSURE OF SOUTH DRIVE

Ms. Debra O'Hara was present and thanked the Township for the installation of the stop signs which has helped slow the traffic somewhat. She stated the roads in the area are still being used as cut-throughs, and the cars are exceeding the posted 25 mile per hour speed limit. She stated cars are also not always stopping at the stop signs. Ms. O'Hara stated the residents also asked that stop signs be posted at South Drive and N. Homestead but the Board took no action on the request. She stated the residents feel closing South Drive at the bridge would be the best solution along with the installation of stop signs and speed humps on South Drive, N. Homestead, and S. Crescent Boulevard.

Acting Chief Bainbridge stated stop signs were installed at the request of the residents and Board of Supervisors. Ms. O'Hara stated some people are not stopping at the stop signs which were installed. Mr. Hackman stated he feels this is an enforcement issue. Acting Chief Bainbridge stated if they are driving over the speed limit they can handle this through enforcement, although they cannot be in the area all the time. Mr. Hackman stated it seems enforcement has not taken place at all. Acting Chief Bainbridge stated they attempt to enforce the law within the parameters the law

allows. He stated the amount of the speed being traveled is not as significant as the neighbors have indicated. Mr. Hackman stated he would like to know how much time is being spent enforcing the speed limits in this area. Acting Chief Bainbridge stated it is difficult to enforce the stop sign requirement if the stop signs do not conform to the standards of State law. Mr. Gouza stated the stop signs that were installed do not meet the State law standards. Mr. Hackman stated he would feel a stop sign that is being ignored is more of a hazard than not having any stop sign at all. Acting Chief Bainbridge agreed. Mr. Hackman stated if this is the case, he feels the stop signs should be taken down. Mr. Gouza stated he would have to look into which stop signs actually meet warrants.

There was discussion on the difference between speed bumps and speed humps, and Mr. Gouza stated a speed bump is a large bump which is the type seen in shopping centers. Speed humps are an 18 to 20 foot graded roll in the pavement that tends to slow the speed down. Mr. Garton stated PennDOT does have specifications on speed humps; and as long as they are constructed to these specifications, they can be used for speed control. Mr. Hackman stated if these are permitted, they should consider where they should be placed. Ms. Baldasari stated they would want them installed with the minimum spacing allowed on N. Homestead, South Drive, and S. Crescent. It was noted there may be problems with snowplowing if the speed humps are installed. Some residents indicated they would prefer not to have their streets plowed if it meant they could have the speed humps installed.

Acting Chief Bainbridge stated he feels they should take the stop signs down that do not meet warrants. He stated they have heard from the residents at past meetings that it is the residents themselves who are exceeding the speed.

Ms. O'Hara stated residents from other neighborhoods are cutting through the neighborhood and endangering their children. Mr. Hackman stated the streets are to be used by cars and should not be areas for play.

Ms. Susan Mera of Sylvan Terrace stated the Police Department should enforce the laws in the area. She also feels the speed humps are appropriate.

Ms. Peg Probst stated it is not only residents who are speeding in the area. She also noted the children need to be able to learn how to ride a bike and have to use the street in order to do so. They are trying to make the streets as safe as possible.



Mr. Fazzalore asked the Township engineer to consider the impact to the Township if they agreed to close South Drive.

Mr. Jack O'Hara stated many of these issues have already been reviewed. He stated he feels if one stop sign is to be taken down, they should take them all down. He stated he feels the stop signs should be installed where they are needed and appropriate and meet warrants and the laws should be enforced. He stated he would be in favor of closing South Drive and installing the speed humps. He stated they are also willing to risk damage to their cars if the speed humps are installed.

Mr. John Killbow stated the newer neighborhoods are using their older neighborhood as a cut through to get to the main roads. He stated their roads were not built to withstand the traffic they are now handling. Mr. Hackman asked if South Drive were closed would this solve all of their problems, and Ms. O'Hara stated it would solve 85% of the problems.

Ms. Dorothy Vislosky stated it has been her observance that Lower Makefield Township has always been for controlled progress. She stated her primary residence is in Falls Township although she does own a home on N. Homestead Drive, and received a flyer at that residence regarding this issue. She stated she has held a number of public positions over the years. She feels closing South Drive is a good solution. She stated the neighborhood has changed, and there are a number of young families in the area and she is in support of their requests.

Ms. Pat Sweeney of 53 N. Homestead stated it is not possible to walk safely in the street in this area, and there are no sidewalks. She stated speed humps and closing S. Drive would help the situation, and she feels this should be done.

Ms. Courtney Highland stated they cannot take a walk in their neighborhood because of the cars on the road. She feels enforcement is a short-term solution, and they need to have a long-term solution since the Police Department cannot be there all the time. Mr. Hackman asked if the installation of sidewalks would help. Ms. Sweeney stated she feels the cost difference between the installation of speed humps and sidewalks would make speed humps a better solution.

Ms. Judy Curly of River Road noted there are speed humps on W. Ferry. The Board of Supervisors was not aware of this. Mrs. Godshalk stated this is a drainage hump. Ms. Curly stated it still slows down the traffic.

Mr. Richard Storm of Ramsey Road stated Ramsey Road takes traffic off Edgewood Road and some people are driving fifty miles per hour. Mr. Hackman stated he lives on Lindenhurst Road where cars travel eighty miles per hour. He stated the problem with closing South Drive is that if this is done, there will be fifty other neighborhoods asking the Board to have their streets closed. He asked that the Township engineer advise the Board which stop signs meet warrants and which do not. The Board will then decide if they should take down the ones that are not enforceable. Mr. Allan stated he feels the stop signs should be left in place until they see if something else can be done to help the situation. Mr. Hackman stated he is concerned that if someone is anticipating that a car will stop at the stop sign and they do not, this is worse than if there were no stop sign. Mr. Allan stated he lives in Yardley Hunt and a number of Yardley Hunt residents have contacted him indicating that no one is stopping at the stop signs in his neighborhood including the Yardley Hunt residents.

Ms. O'Hara asked if they could close South Drive temporarily. She stated this would not cost anything. Mr. Hackman stated he is concerned that they will get a substantial number of requests to close other Township roads. Mrs. Godshalk stated she feels the children should be kept off of the street. She stated she drives through the neighborhood and has seen flagrant abuses of the roads.

Ms. Holly Bussey of Knoll Drive challenged the Board of Supervisors to do some strategic planning and come up with a way to handle the cars. She stated the neighborhood itself should also help to get this situation under control. She stated bikepaths should be a priority throughout the Township.

Mr. Pete Stainthorpe stated he feels the Board of Supervisors should use this neighborhood as a prototype that could be replicated throughout the Township.

Mr. Allan suggested that the residents meet with the Township engineer on this problem. Mrs. Godshalk stated they have already done this. Mr. Allan recommended that four to five residents do this again to see if they can come up with some solutions.

Mr. Hackman expressed concern with the liability of stop signs in place that do not meet warrants. Mr. Garton stated he feels the signs could be left in place until there is another remedy. He stated the Board of Supervisors has also indicated they will explore the option of speed humps. The



Board will get input from Mr. Gouza on the impact of closing South Drive.

Mr. Allan asked about the possibility of closing South Drive for thirty to sixty days to determine the impact. Mr. Garton stated he feels they can close the road for health, safety, and welfare reasons temporarily without benefit of an Ordinance. He feels they could close it for thirty days, but anything further would need an Ordinance change.

Mr. Fazzalore moved to close South Drive for sixty days subject to engineering and all applicable laws with a report on the impact to be submitted by a Township representative.

Mr. Fedorchak stated he will meet with Mr. Gouza to design the appropriate way to do this.

Mr. Allan seconded the Motion.

Mr. Hackman asked the Township engineer how long it would take to advise them how to go about this. Mr. Gouza stated it would take at least two weeks. He added he does not know what the notification requirements are. Mr. Garton stated they would have to put up notification for safety purposes. Mr. Allan recommended that this be done as quickly as possible. Mr. Gouza stated they would have to install a structure that meets all requirements since they could not simply install "horses." He stated there are specific barricades that are approved which they would need to use. He is not sure of the availability from the suppliers.

Mrs. Godshalk stated she lives on Countess Drive, and she feels people on the other side of the barricade deserve to have their opinions noted at a public meeting; and they have not been advised of this issue. She stated the largest number of people are coming from S. Crescent Boulevard. Ms. O'Hara stated S. Crescent is still a problem as well.

Motion carried with Mrs. Godshalk opposed.

Mr. O'Hara stated he still feels they need to look into the speed humps and enforcement issues as well.

#### DOG PARK DISCUSSION

Dr. Pete Szakacs, Mr. Jim Bray, and Mr. Jim Wilson were present.

Mr. Hackman stated the Board of Supervisors was approached several months ago with a proposal for a Dog Park. There

were some questions posed by the Board which have been addressed in the proposal provided by those interested in a Dog Park. Mr. Hackman stated he and Dr. Szakacs looked at three or four Township parcels which were not being used. Dr. Szakacs stated there were a number of questions raised at the last meeting, and they have tried to address those concerns and insulate the Township from these concerns. He also took time to interview members of the public to see which of the sites would be most viable. He stated the project will be at no cost to the taxpayers and will be completely funded by memberships and user fees. The facility would be run by the Association or whatever entity they are legally required to form, and a group of people would handle all aspects so that no Township efforts would need to be expended.

With regard to liability, Dr. Szakacs stated he has discussed the matter with a number of insurance agents and attorneys; and if the Township insulated itself by renting property to an outside agency who provided liability insurance, there could never be one dollar of taxpayer funds at risk. With regard to location, Dr. Szakacs stated the one location that would be most suitable would be the Township property along the railroad tracks that is not earmarked for any other purpose.

Dr. Szakacs stated rules and regulations will be compiled by the organization. Twenty percent of the members could be from outside of the Township if there is room in their enrollment.

Dr. Szakacs stated they are requesting that the Board grant conditional approval to the project subject to the Association filing the appropriate legal forms and purchase of sufficient liability insurance. He stated they would like to be given sixty to ninety days to show that there is Township support for the project in the form of fees received by the group to run the organization.

Mr. Fazzalore stated he does not feel they can guarantee that there will be no liability to the Township. Mr. Garton stated the only effective way to insulate the Township would be to have lots of insurance. Mr. Wilson stated another way would be to minimize risk.

Mrs. Godshalk asked if they have figures on what it would cost to set this up. Dr. Szakacs stated the committee felt that the Board of Supervisors did not want to be involved in micro-managing this since the committee was going to take all the risk. Mr. Hackman stated if this does move forward, he feels the Board of Supervisors will want to see what the



expenses are. Dr. Szakacs stated he feels many of these figures were provided in the initial presentation.

Mrs. Godshalk asked how much land they need. Mr. Hackman stated the land they are looking at is the land which was owned by the Water Company for their reservoir. Mrs. Godshalk asked about parking, and Mr. Hackman stated they would use the parking next to the tennis courts and the pool. Mrs. Godshalk asked about lighting, and Dr. Szakacs stated they do not need lighting.

Mr. Allan stated if there is a piece of ground that is of no use to the Township for any other purpose, he does not have a problem with selling that parcel to an organization. He does have a problem approving this project since he is still concerned with the safety of those using the Dog Park, particularly children. Mr. Bray stated he feels the Township Community Pool is more of a liability than this proposed use. He stated he feels they are asking for a minuscule portion of the Township recreation "pie." Mr. Allan stated comments he has received are two to one against the Dog Park. Dr. Szakacs stated young children would not be permitted in the Dog Park. He stated they could have bleachers outside the fence where children could remain, and they will have a clear prohibition that no one under twelve is permitted inside the fence. Mr. Allan asked who will police this, and Dr. Szakacs stated the members of the organization will police themselves.

Ms. Judy Curly of River Road stated she is concerned that adjacent homeowners would be annoyed by barking dogs. Dr. Szakacs stated there are no homes adjacent to the proposed site. Ms. Curly stated there could be biting accidents as people are walking their dogs to the Park. Mr. Hackman stated he assumes the dogs would be on leashes, and Mr. Wilson stated this is required by State law.

Ms. Sandy Goldberg of University Drive stated she has seen children hit on the head with baseballs, and the Township is not stopping baseball.

Ms. Laura McFadden stated Lancaster County has at least a dozen Dog Parks. She stated she does not feel people would invest money to be a member of an organization if they have a dog that would not behave in the Park.

Mr. Wilson stated there is a "dangerous dog" law which would cover many of the concerns being expressed.

Mr. Len Franckoviak stated he feels they should sell this parcel to the organization and then the liability to the Township would go away. Mr. Allan agreed.

Mr. Hackman stated he feels they have put together a nice proposal, and he feels the property being discussed is remote and would not impact anyone. He feels people who have dogs in the Township would be interested in this. He stated he has no objection to the proposal.

Mrs. Godshalk stated she feels purchasing the property would solve some of the problems. She is concerned with the access to the property since they will have to use the Township parking lot and they will have to go past a number of Township recreation facilities to reach the property. Mr. Wilson noted the location of a Dog Park in the City of Philadelphia which is surrounded by a children's park.

Mr. Allan asked how they would access the property, and Dr. Szakacs stated there is a blocked off road or they could cut a path through the thicket by the tennis courts. Mr. Allan stated he is concerned with them accessing the area adjacent to the basketball and tennis courts where there are a lot of activities where there are young children present. He stated he would be more in favor of an access from Oxford Road. He is also in favor of selling the property to them rather than leasing it. Mr. Garton stated they would have to create a lot that meets the Zoning Ordinance, and he is not sure this could happen at this location.

Mr. Hackman stated he feels they should ask the Park & Recreation Board to review this before proceeding if a majority of Supervisors are in favor of the proposal.

Mr. Fazzalore stated he would be opposed to the proposal. Mrs. Godshalk stated she has a problem with the access going through the Township property and walking the dogs in this area. If they were to purchase the land and it were self-contained, she would not have a problem. Mr. Allan agreed with Mrs. Godshalk.

Dr. Szakacs stated they would be willing to address any reasonable concerns. Mr. Hackman stated there may be other parcels which may meet their objectives. Dr. Szakacs asked if they were able to address the Board's concerns, could they get approval for the project, and Mrs. Godshalk stated they would have to review this again before she would agree to anything. Mr. Allan stated he would be willing to look at another proposal. Mr. Fazzalore stated he would not be in favor of a Dog park.



UPDATE ON EXPANSION PLANS OF TRENTON AIRPORT AND ADOPTION OF RESOLUTION

Mr. Paul Krupp was present. Mr. Hackman noted the letter which was sent out by Mr. Krupp's group but stated it does not appear that a copy was sent to the Bucks County Commissioners, and he feels they should be copied on all correspondence.

Mr. Krupp stated he provided a hand-out to the Board of Supervisors which shows the history of the Airport and the alterations which have been made over the years. He reviewed the improvements which are proposed for the Airport expansion. He stated BRRAM is requesting that the Lower Makefield Township Board of Supervisors approve the Resolution of support, and he outlined specifically what is listed in the Resolution. They have provided a sample Resolution which has been adopted by Ewing, Lawrence, and Hopewell Townships in New Jersey.

Mr. Fazzalore stated he is in support of the Resolution but feels the Township should go further. Mr. Garton stated this is not his area of expertise, and he has provided Mr. Fedorchak with the name of an expert he found in Cincinnati.

Mr. Krupp stated they have formed a coalition of Townships, and they decided approximately seven months ago to hire an environmental attorney. Mr. Fazzalore stated he feels action needs to be taken to obtain a copy of the environmental report. He feels this is one of the most devastating issues facing the Township. Mr. Krupp stated they have two pilots in their organization who have indicated the air space is too full at the current time in this area.

Mr. Rich DeLello stated the concern they have is the progression from when the airport was originally built until now as well as the expansion. He stated they went to the Delaware Valley Regional Planning Commission meeting and in the handout they have five airports they are recommending the Republican Delegates use and one of them is Trenton/Mercer. He stated Mercer County does not care about Lower Makefield, and he feels the study will indicate the expansion will not hurt Lower Makefield. Mr. Hackman stated if this is a Federal issue, he feels Representative Greenwood and other Federal representatives should be handling this. Mr. DeLello stated the Federal representatives must know that the local government is involved in this.

Mr. Fazzalore moved to adopt the Resolution provided by Mr. Krupp. There was no second.

Mr. Hackman stated the last item indicates that they should establish an environmental protection fund, and he asked what this involves. Mr. Krupp stated he would assume they would be providing some money as needed or hire professionals to help the Board of Supervisors with decision making.

Mr. Hackman asked how much this would cost. Mr. Garton stated this could involve a substantial amount of money if they are contemplating specialized litigation in Federal Court. Mr. Fedorchak stated they would also have to hire specialists such as engineers to do this kind of work.

Mr. Krupp stated Fred Harris is the consulting engineer for the New Jersey group. He stated he does feel they should be prepared for this down the road. He stated they are almost at the point of making the environmental assessment public. He stated the initial draft was provided to the Administrator of Mercer County and the Airport Operators to review. The Freeholders were concerned about this since they wanted to look at this as well.

Mr. Hackman stated initially they were concerned that Lower Makefield would not be included in the study area and asked if this has been resolved. Mr. Krupp stated they are not sure.

Mrs. Godshalk stated the Resolution indicates they are agreeing to funding, and she feels they should have some idea what the cost will be.

Mr. Hackman stated he feels if this is a Bucks County issue, the Bucks County Commissioners should be the ones involved.

Ms. Holly Bussey stated the Bucks County Commissioners are aware of this, but they need to hear from the local Townships as well. Mr. Krupp stated he will go to the Bucks County Commissioners as well. Mr. Hackman stated he feels they should have a separate paragraph in the Resolution that says "Bucks County should take immediate action."

Mr. Daniel Inverso stated he feels they should go to the Bucks County Commissioners and have them make this the Bucks/Mercer Airport so Bucks County has a say in how the Airport is run. Mr. Krupp stated they did try to get on the Advisory Board, but they were denied.

Ms. Goldberg stated she would appreciate any effort the Board of Supervisors can make to request the Environmental Impact Study even if it requires hiring an attorney.

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to adopt the Resolution presented with the addition that there be a separate paragraph added that



the Bucks County Commissions take immediate action and that funds should not be expended unless approved by the Board of Supervisors.

APPROVAL OF RESOLUTION NO. 1060 - APPLICATION FOR PERMIT TO INSTALL AND OPERATE TRAFFIC SIGNALS AT LINDENHURST ROAD AND TWINING ROAD

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to approve Resolution No. 1060.

AWARD BID TO REPLACE WATER LINE IN MACCLESFIELD PARK

Mr. Gouza stated this bid also includes a conduit for a security system as well as the water line.

Mr. Allan moved and Mr. Fazzalore seconded to award the bid to Joran Contractors, Inc. at a cost of \$20,000.

Mr. Gouza stated the contractor is a reliable bidder.

Mr. Hackman asked how they know if this is sufficient for the security system. Acting Chief Bainbridge stated this came up during the Road Tour when they discussed mounting a security camera at some point to look southeast from the building to the last field. He added it would be economical to do it at this time.

Motion to approve carried unanimously.

LINDENHURST ROAD BIKEPATH UPDATE

Mr. Hackman stated they discussed this matter on the Road Tour. Mr. Gouza stated they have talked to the developer and they anticipate Lindenhurst Road will be closed July 5. Part of the project is the installation of the bikepath that runs from 532 to Woodside Road with the exception of the pipeline crossing where there are some problems. Mr. Garton stated he contacted the PUC who regulates acquiring rights-of-way for utilities and was advised the PUC does not regulate that and it is the Federal Court. He contacted our Congressman some time ago and they have agreed to contact him on this by this week. He would suggest that they do the bikepath on either side and take the money for the gap in between if they are not ready to proceed.

WOODSIDE ROAD UPDATE

Mr. Gouza stated on the Road Tour the Board of Supervisors indicated the bikepath would be built where called for on the plans. He stated they do need to acquire some right-of-way through the parcel adjoining DeLuca's piece. Mr. Hackman asked about going down the hill. Mr. Allan stated he feels this is dangerous. Mr. Hackman stated it is less dangerous if you are on the bikepath than it is if you are on the road.

DISCUSSION OF DE LUCA ENTERPRISES' PROPOSED AFTON CREST SUBDIVISION

Mr. Edward Murphy, attorney, was present and stated two months ago they discussed Houston Road, and at the time the Board of Supervisors felt no improvements would be needed at Houston Road other than a walking path over Brock Creek. Since then he understands during the Road Tour the Board revisited the issue. He discussed the matter with the Township engineer and Mr. Coyne and understands the Board's recommendation has now changed. He would like to get input on this before they get too far on their design.

Mr. Hackman stated he feels the road should be improved and there should be an exit out of the development to Houston Road, and eliminate the other cut through. Mr. Murphy asked about improvements to Houston Road, and Mr. Hackman stated they are now considering widening and curbing. Mr. Murphy stated he felt they were opposed to this since they were concerned about the elimination of some existing trees. Mr. Hackman stated possibly they could install something less than full widening. Mr. Murphy provided pictures to show what trees may be impacted if improvements were done to Houston Road. Mrs. Godshalk stated she would agree that it would be safer coming out of Houston Road. Mrs. Godshalk stated she does not feel it is necessary to widen the other side of Houston Road until it is developed.

Mr. Gouza stated if they make improvements to Houston Road, they must determine how it is terminated. Mr. Murphy stated he does not feel there is any way they can widen the road without removing the trees.

Mrs. Godshalk, Mr. Hackman, and Mr. Allan stated they would prefer that the road go out to Houston Road.

Mr. Gouza stated if they are still considering a foot bridge/bikepath across the creek, they need to have a way to



get people to the footbridge. Mr. Hackman stated he feels the footbridge will be a complication. Mr. Allan stated the footbridge may be a way for the Police to get there on their bikes. Acting Chief Bainbridge stated he is in favor of the footbridge since the path is currently being used by children.

APPROVAL OF BRUMBAUGH AND INVERSO PRELIMINARY/FINAL LOT LINE CHANGE

Mr. Garton stated this application arose from a subdivision problem that goes back many years. He reviewed possible conditions of approval.

Mr. Benner, attorney, stated the Board of Supervisors should understand that one of the property owners will be seeking Zoning Hearing Board relief in order to be able to replace the shed which they had to remove when they became aware of the conveyancing error. Mr. Benner stated installing the shed back again will not change anything that was not already in place before they found the error.

Mrs. Godshalk moved and Mr. Fazzalore seconded to approve the Brumbaugh and Inverso Preliminary/Final Lot Line Change, Plans dated 2/20/00 subject to:

- 1) Payment of all Township expenses related to the Application to the extent not paid;
- 2) Receipt of all permits and approvals by Agencies having jurisdiction;
- 3) Compliance with PCS letter dated 3/23/00;
- 4) Grant the waivers noted in Paragraphs 1,2, 3 & 4 in the PCS letter;
- 5) In accordance with the Planning Commission request that the impervious surface for Lot #20-17-51 be limited to 20% but the Board of Supervisors would support an application before the Zoning Hearing Board;
- 6) Shed on Lot #87 be permitted to stay as a non-conforming use;
- 7) Shed on Lot #86 may be replaced with the same size shed as was removed with the setback requirements to be adhered to.

Mr. Benner agreed to the conditions of Approval.

Mr. Allan asked if both property owners were satisfied with the proposal. Mr. Inverso stated provided they can put up the same size shed, they have no problem, but if they cannot, they would not be in favor of the proposal. He stated he was required to give up eight feet of his property.

Mr. Hartigan stated he represents the homeowners, and in 1955 there was a subdivision of this area which was approved. In 1959 the subdivision plan was amended and Lot #86 was conveyed out on the basis of the 1955 subdivision plan. This came to light when the Lot #85 wanted to put up a fence and they discovered the error. In order to resolve the issue the Inversos had to have their lot reduced by eight feet. They would like to be able to put the shed back up which they were required to remove.

Motion to approve carried unanimously.

#### GRANTING OF CERTIFICATES OF APPROPRIATENESS

Mrs. Godshalk moved, Mr. Allan seconded and it was unanimously carried to grant Certificate of Appropriateness for the sign on the building at the Warren Farringer House.

Mr. Allan moved, Mrs. Godshalk seconded and it was unanimously carried to grant Certificate of Appropriateness for a new roof at the Lower Bucks Masonic Temple.

#### REJECT DEDICATION OF GATEFIELD, FARMVIEW VILLAGE VI

Mr. Allan moved, Mrs. Godshalk seconded and it was unanimously carried to reject the request for Dedication of Gatefield, Farmview Village VI as they have not met the requests of the Sewer Engineer.

#### APPROVE DEDICATION OF HIDDEN OAKS II

Mr. Fazzalore moved, Mr. Allan seconded and it was unanimously carried to accept Dedication of Hidden Oaks II.

#### APPROVAL OF JUNE 5 AND JUNE 19, 2000 WARRANT LISTS, AND MAY, 2000 PAYROLL

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to approve June 5, 2000 and June 19, 2000



Warrant Lists and May, 2000 Payroll as attached to the Minutes.

PRESENTATION OF CHECK FROM ELM LOWNE ANTIQUES SHOW

Mrs. Godshalk presented the Township with a check in the amount of \$2,370 from the Antiques Show which was held at Elm Lowne. This was given to Mr. Taylor this evening.

AWARD CONTRACT FOR PROFESSIONAL/ARCHITECTURAL/ENGINEERING SERVICES FOR POLICE DEPARTMENT RENOVATIONS

Acting Chief Bainbridge stated they developed a plan to contact architects/engineers to look at the Police Department. He met with three planners and asked them to submit proposals. George J. Donovan and Associates were the low bidder and provided information on work they had done in the past.

Mr. Fazzalore asked if all three bidders used the same specs, and Acting Chief Bainbridge stated they did. He stated he met with all three bidders at least once and each were given the proposal that he had provided to Mr. Fedorchak. Mr. Fazzalore stated they have indicated that the fee is assuming As-Built Plans are available, and Acting Chief Bainbridge stated he feels these are available.

Mr. Fazzalore moved to award the Contract to George J. Donovan and Associates according to the proposal in the amount of \$3000 and any additions not to exceed a total of \$5000.

Mrs. Godshalk noted some work was already done a few years ago. Mr. Fedorchak stated they are now looking at the remaining parts of the Department where no extensive renovations were done. Mr. Hackman stated after they see the study, they may want to make some additional changes to those areas where work was previously done.

Mrs. Godshalk seconded and the Motion carried unanimously.

ZONING HEARING BOARD DISCUSSION

The DeLuca Enterprises Variance request to construct a deck was noted and the Board decided to take no action.

There was discussion on the Floral Vale Enterprises Variance request to permit erection of more than the permitted freestanding signs. The Board decided to participate in opposition.

SUPERVISORS' REPORTS

Mr. Hackman stated an architect walked the property proposed for a Golf Course and looked at some adjacent properties as well. The Golf Committee will meet at 6:30 p.m. on Monday evening and will go out to meet with the surrounding property owners so that they can determine the actual property lines. Mr. Fazzalore noted an eleven acre parcel where the owner does not reside, and Mr. Hackman stated they will need to have someone meet them to show where that property line is located. Mr. Fedorchak stated he will be able to contact the appropriate individual. Mr. Hackman noted the Board is invited to attend if they are interested.

Mrs. Godshalk stated she attended the Farmland Preservation Corporation meeting since some of the Sunnyside Lane residents asked her to attend regarding the installation of a fence adjacent to their property. Mrs. Godshalk stated she does not feel the fence should be installed. Mr. Garton stated if the Farmland Preservation Corporation decides to install a fence, they have the right to do so. Mrs. Godshalk stated the Farmland Preservation Corporation did listen to the residents' concerns. She stated some funds were given to the Farmland Preservation Corporation from DeLuca for a house that was sold and the funds apparently went to the Township rather than to the Corporation. Mr. Fazzalore stated he felt the \$63,500 was to be given to the Township. Mrs. Godshalk stated she feels they should look into this matter. Mrs. Godshalk noted there was a problem on the Black Farm with stumps and rubbish and it has not been cleared out.

There being no further business, Mr. Fazzalore moved, Mr. Allan seconded and it was unanimously carried to adjourn the meeting at 11:10 p.m.

Respectfully Submitted,

Wesley Hackman, Chairman





# Township of Lower Makefield

## BOARD OF SUPERVISORS

Wesley W. Hackman, Chairman  
Frank J. Fazzalore, Jr., Vice-Chairman  
Scott I. Fegley, Secretary/Treasurer  
Frederick M. Allan, Supervisor  
Grace M. Godshalk, Supervisor

**JUNE, 2000 WARRANT LISTS AND  
MAY 2000 PAYROLL COSTS FOR APPROVAL  
@ JUNE 19, 2000 BOARD OF SUPERVISORS MEETING**

06/05/00 Warrant List	\$ 342,754.08	
06/00 Prepaid Expenditures	464,014.26	
06/19/00 Warrant List	150,826.89	
Total Warrants & Prepays		957,595.23
<u>PAYROLL COSTS:</u>		
May, 2000 Payroll	264,600.58	
05/00 Payroll Taxes, etc.	20,241.94	
Total Payroll Costs		<u>284,842.52</u>
TOTAL TO BE APPROVED		<u>\$ 1,242,437.75</u>

