

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 17, 2007

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 17, 2007. Chairman Smith called the meeting to order at 7:30 p.m. Mr. Santarsiero called the roll. Mr. Santarsiero noted the Board met in Executive Session for thirty minutes to discuss real estate matters and prior to that met in Public Session interviewing candidates for Board vacancies.

Those present:

Board of Supervisors: Ron Smith, Chairman
 Greg Caiola, Vice Chairman
 Steve Santarsiero, Secretary/Treasurer
 Grace Godshalk, Supervisor
 Pete Stainthorpe, Supervisor

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

PUBLIC COMMENT

Mr. George Schott, 652 Leslie Lane, stated last Friday there was a wayside horn test done at the Heacock intersection. Mr. Schott stated the evening prior to the test, he audio taped the trains going past in the middle of the night and his wife taped the way-side horn test. He feels the difference between the actual train noise and the way-side horn noise was significant. He stated they still desire to have the Quiet Zones. Mr. Schott asked if CSX will be sending out an engineer to provide an estimate on upgrading the circuitry. Mr. Majewski stated the CSX representatives have indicated there are no impediments to establishing a Quiet Zone at the three crossings. Mr. Majewski stated the Township would next have to enter into an agreement to reimburse CSX for the preliminary engineering costs to look at the three intersections and come up with cost estimates to upgrade the circuitry, and the Board of Supervisors may want to discuss this at a future meeting. Mr. Schott asked that this be an Agenda topic for the next meeting. Mr. Smith stated they will have this matter on an Agenda before the end of the calendar year. He stated he would also like to get a report from the engineer on the test which was done.

Mr. Schott stated he has started a Website called LMTTRAINNOISE.COM so that there is one site to get information. Mr. Schott stated there is a Township similar to Lower Makefield in Ames, Iowa with a population of 48,000 which had a similar problem with train noise and installed wayside horns in 1998. He stated surveys were conducted before

and after installation of the equipment; and they surveyed residents who lived within 1,000 feet, motorists, and locomotive engineers. He stated prior to installation, 77% of the residents indicated the train horns had a negative impact on their quality of life compared to 3% in the after condition. Of motorists surveyed, 78% indicated they preferred the automated horn system; and 92% of the train engineers rated the overall safety at the crossings with the automated system to be about the same or safer compared to the before condition. Mr. Schott stated these surveys were conducted by the Iowa Department of Transportation. He stated the RCL Railroad Controls Limited representative indicated that noise from a typical train horn affects thirty-one acres, and the wayside horn affects only one acre. Mr. Schott stated residents were asked about the train noise specifically at night and 60% viewed the train horns as very disturbing at night and after the automated system was installed, only 2% indicated they were very disturbed. Mr. Schott provided all this information to the Board this evening. Mr. Schott asked if the Township has heard back from the FRA regarding the Intent to File which was done in May. Mr. Majewski stated the FRA has not forwarded any comments to the Township, and the absence of comments means that they have no objection to the wayside horns.

Ms. Anita Grossman, 1368 Heller Drive, stated she has contacted all the neighbors in her neighborhood and is representing a number of people. She stated she approached the Board six months ago about the noise coming from the Elm Lowne parties into Makefield Chase. She stated a sound engineer was hired. She stated six months later, the season is almost over, and in twenty-six weeks there were twenty-seven parties. She stated she contacted the Board after the second party. She stated there has been no improvement in the sound and many of the parties have gotten louder. She feels it is unfair that so much time has gone by with no change. She stated the people in the community are unwilling to debate this again next summer, and they cannot afford to have another summer like the one they had this year. She stated every year the number of parties increases. She stated they already have fifteen parties booked for next summer. Ms. Grossman stated she is concerned that the Township has allowed them to keep doing this. She stated the people from Open Aire Affairs asked the Board to have Lower Makefield Township dollars spent to have a sound engineer hired. She stated the Township requested that they do what they could to lower the noise in the meantime until the study was completed, and they have disregarded this request. She stated she also made a special request for one particular day and asked that Open Aire Affairs respect her family for this one day, and it was in fact one of the worst and they used the PA system considerably longer than at other events, and at one point there was a thirty-minute period when she could hear what they were saying over the PA system with her windows shut. She stated Open Aire Affairs has made a lot of money, the Township has made a little money, and the community members want to know how they can be compensated for the loss of their rear yards, the violation of the space inside their home, and the decrease to their property values. Ms. Grossman stated she has still not been able to see the report although she recently learned that it came into the Township today. She stated she also had a sound

expert look into this situation. She reviewed her expert's credentials noting he is an Emmy Award winner in sound engineering for outdoor events, who worked for ABC for over thirty years. He indicated that they will not be able to stop the noise from going into the rear yards.

Ms. Grossman stated she contacted Mr. Smith during one of the recent parties and asked that he come to her property to hear the noise so that he could then advise the other Board members about the volume. Mr. Smith stated approximately two to three weeks ago, Ms. Grossman contacted him and he agreed to go to her property that Saturday evening, and he stated it was the most outrageous noise he had ever heard in someone's back yard. He stated he does not know how anyone could tolerate that kind of noise in their rear yard every weekend. He stated he would prefer that the property be used for uses other than parties that generate this kind of noise. Ms. Grossman stated even when the music is low, the people are extremely loud. Mr. Smith stated while they will have to see the report, they will follow up on this.

Ms. Grossman stated tomorrow night Open Aire Affairs is having an open house, and she would ask that there be a moratorium on any further bookings until this is settled. She stated the residents would like to make sure that there is some finality to this. Mr. Smith stated he feels this is a matter that should be placed on an Agenda as to whether or not they can have a moratorium placed. Ms. Grossman stated if there is not a moratorium placed as of tomorrow, there will be additional bookings after the open house; and the Township will have an even bigger problem. Mr. Smith stated the Township does have contractual obligations, and the Township cannot breach a Contract or they will have problems. He asked that the Township Solicitor look into the Contract. Ms. Grossman asked if she could get a copy of the Contract, and Mr. Truelove asked that she contact his office, and he will provide this.

Mr. Caiola stated he feels they should have a discussion with Open Aire Affairs once they have the sound report in hand.

Ms. Grossman asked if someone could review the Contract tomorrow so that there are no more parties booked at the open house tomorrow. She would like them to hold off on taking any more contracts before this is settled. Mr. Truelove stated while he could look at the Contract, the Board of Supervisors is the body that has to make a decision on this at a public meeting. Mr. Santarsiero stated they need to see if there is something in the Contract that allows them to do something. Mr. Santarsiero stated he understands the Contract goes into 2009, and there would be contractual liabilities not only for Open Aire Affairs, but for the people who have booked events as well. Ms. Grossman stated she feels there is a "back door" in the Contract. Mr. Santarsiero stated the Board meets again on November 7, and the rest of the Board of Supervisors should go out to the next event to hear how loud it is. Ms. Grossman stated the next event may or may not be louder than usual. Mr. Santarsiero stated he still feels it would be beneficial for the Board to go

to her property and listen. He stated by the next meeting they will also have feedback from Mr. Truelove with regard to the Contract. He stated the original intent was to take a facility that was not making money for the Township and try to generate money to help with the upkeep of the property. He stated now that they recognize that there is a problem, they need to deal with this although they first need to know what they can do under the Contract and see if they can come up with a reasonable solution for the remainder of the Contract.

Ms. Grossman stated the residents are counting on the Board of Supervisors to help them; and if the residents feel the Board is not going to help, they are prepared to proceed on their own. Mr. Smith asked that the Board be given the opportunity to look into this.

Mrs. Godshalk stated she was one of the original members of the Elm Lowne Committee; and when they purchased the property, they had other ideas for the house such that it would be a historic resource and a place for smaller parties. She stated they did have these along with some community parties. She stated they felt that the Senior Citizens could also use it as a Senior Center, but they were not interested in it. She stated her commitment when they purchased the property was not to have Elm Lowne be a “party palace;” but when the other uses did not work out, and bills still needed to be paid, Open Aire Affairs offered a solution. She noted in the early years, members of the Elm Lowne Committee were on site during events, but now very few people from the Township are there. She does not feel the initial events created the same problems for the neighbors. Ms. Grossman stated she feels those events were loud as well although she agreed there were not many parties.

Ms. Grossman stated she would be willing to think up ways to help raise money for this property.

Mr. Jim Bray, 12 Terracedale Road, reviewed the LID Ordinance passed by the Township which requires development to proceed in a responsible fashion. He stated the Bucks County Courier Times recently commended Lower Makefield for creating this Ordinance noting it received a National Award from the U.S. Environmental Protection Agency. Mr. Bray thanked the Board of Supervisors for their role in the creation of the Ordinance as well as the team that put the Ordinance together. He stated Ordinances like this do cost money; however, they also add immeasurably to the value and quality of life of the people in Lower Makefield Township.

Mr. Smith read the article that was in the Bucks County Courier Times on 10/13/07 regarding this issue. Mr. Smith thanked all the volunteers from the various Boards and the professionals who helped put this Ordinance together. He also thanked Mr. Santarsiero who had the vision and the entire Board who put this through. Mr. Smith showed the plaque that was received from the U.S.EPA.

Mr. Rick Ewing, 1193 Waterwheel Drive, stated he is a member of the Environmental Advisory Council. He stated Lower Makefield Township signed up for the Cool Cities and Smart Power program approximately one year ago. He stated this program directly addresses the issue of global warming and dependence on non-renewable sources of energy. He stated the EAC has been asking residents to sign up for PECO Wind; and if the Township gets two hundred new sign-ups for clean energy, Lower Makefield will receive a 1 kilowatt solar energy system valued at \$10,000. He stated to date 130 residents have signed up and they need 70 more by the end of the year. He stated this week Community Energy sent out a mailer advertising the program so residents can sign up. There is also information on the LMT Website. He stated organizations should be advised that there is a program sponsored by Community Energy and organizations that sign up residents will receive \$20 for each person they sign up. He thanked everyone who signed up for the program. Mr. Stainthorpe stated there is a sense of urgency since they only have until the end of the year to qualify for the free system. Mr. Santarsiero stated the additional costs to be part of this program are fairly minimal. Mr. Smith urged Township residents to sign up noting this moves the Township along as being a leader. He thanked Mr. Stainthorpe for bringing this matter to the attention of the Township.

Mr. Joe Shennard, 1667 Dobry Road, stated he is concerned with proposed development known as The Gatherings at Yardley. He stated this is proposed to be built across from his home, and their proposed main driveway will come out directly across from his driveway which is a safety concern to his family. He stated Mr. Mirande, representing the developer, has been out to his property a number of times asking him to move his driveway. Mr. Shennard stated he indicated to them his driveway has been at that location for one hundred years, and he feels since The Gatherings has seventeen acres on which to build, they should move their proposed driveway; but they refuse to do so. Mr. Smith asked if this issue was raised at the Planning Commission meeting, and Mr. Shennard stated it was. Mr. Smith asked that Mr. Shennard send an e-mail to the Board member on this, and he also asked Mr. Majewski to look into this matter.

Mr. Santarsiero stated this matter was to be on the Agenda this evening, but the Township received a call that the developers were requesting this matter be removed from the Agenda. Mr. Smith asked Mrs. Godshalk, as the Planning Commission liaison, to take this back to the Planning Commission. Mrs. Godshalk stated the sketch that was provided did not show Oxford Valley Road, and they need to see this so that they can determine how far the proposed driveway is from the intersection. Mrs. Godshalk stated while the Township does allow a lower use, this tract is zoned Industrial/Office; and if houses are put in, they will be losing ratables. She stated they also need to be careful that they are not subject to a curative amendment if they do not provide for these uses. She stated they felt this was a good area for Industrial/Office because it backs up to the train track; and if housing is installed additional residents could be complaining about train noise.

Mr. Shennard stated his concern is that if the new driveway is across from his driveway, people will be coming into his driveway to turn around and the lights from the cars across the road will be hitting his home.

Mr. Dave Shuster, 1270 Bluestone Drive, stated he read that the Board of Supervisors was considering sharpshooters to deal with the deer problem, and he stated he objects to spending Township dollars to manage deer by hiring sharpshooters. He stated he feels deer can be managed with local archery hunters, and he has several members of the Falls Township Rifle and Pistol Association present this evening that also support this effort. He stated Princeton, New Jersey reported a problem with deer and indicated they had over 300 deer/car collisions per year. They hired sharpshooters for hundreds of thousands of dollars and now they are down to 75 deer/car collisions a year. Mr. Shuster stated according to the Bucks County Courier Times, Lower Makefield has had 23 deer/car collisions this year, and on the Township Website it indicated the average per year is 70 to 80. Mr. Shuster stated it appears that the Township is currently at the level where Princeton is now and they have spent hundreds of thousands of dollars to get to the level where Lower Makefield is. He stated while he recognizes there is a problem, he feels the problem can be managed with alternative methods such as archery which would save the Township a significant amount of money. Mr. Shuster stated in Mr. Shissler's report he indicated it could cost from \$100 to \$400 per deer under the sharpshooter program. Mr. Shuster stated Solebury and New Hope are spending in excess of \$250,000 per year to manage their deer. He stated he knows many areas in New Jersey where they have converted to archery. He stated Pennsylvania has a long history of hunting; and he feels this is a safe, effective, and economic alternative to a sharp shoot. He stated they can provide forty to fifty local volunteers to assist with the efforts of the Township at little or no cost to the Township. They also have the full backing of the Falls Township Rifle and Pistol Association and noted the letter sent to the Board from them. He stated they have a full archery range facility, training, and testing and certification of participants; and they can use the facility for safety classes and screening local archers. He stated their certified instructors provided the training for the program currently in use in Upper Makefield.

Mr. Shuster stated he has already contacted Dwight Ely in Newtown who does deer processing, and has donated deer to food kitchens and needy families through a program called Hunters Sharing the Harvest, which is a State-wide effort that relies on deer hunters and Municipalities with deer control program and cooperating butcher shops to donate venison to the food banks and the needy. He stated he also contacted the Pennsylvania Game Commission, and the Township can qualify for the Deer Management Assistance Program. The Township would get coupons from the Game Commission that they would give to the selected hunters who would use the coupons to harvest deer in excess of regular Game regulations. He stated this was not mentioned in Mr. Shissler's report. He also feels Mr. Shissler's report downplayed the value of the local hunter and archery in general. Mr. Shuster stated the Township is also covered

under the new Landowner Liability Law which protects property owners who allow hunting on their land and makes it clear that the landowners cannot be held responsible for personal injury or property damage caused by hunters allowed on their properties.

Mr. Shuster stated he read in the paper that if hired, the sharpshooters would use small caliber rifles, and he showed a spent casing from a 22 rifle; but noted the Minutes from October 3, 2007 indicated that one of the speakers stated probably a 223 or 308 would be used, and he showed a 223 shell casing which was significantly larger. He stated he lives near Five Mile Woods and would prefer archery over sharpshooters. Mr. Shuster noted many of the members of the Falls Township Rifle and Pistol Association present this evening are archery hunters, and they would request that the Board learn more about the firearms involved in a sharp shooting so that they can make the proper decision. They would also request that the Board familiarize themselves with the safety and efficiency of archery techniques. They extended an invitation to the Board to attend their Club to view a demonstration and have a venison dinner.

Mr. Smith stated the Board has received a number of emails and letters since the issue was reported in the papers all voicing different opinions. He stated he feels this is one of the most difficult issues he has had to deal with to date. He stated he recognizes that there is a problem and feels they do need to take action. He stated they have not approved anything yet, and he would be willing to visit their Club and look into their operation. He stated they will have to consider the cost of any program they approve.

Mrs. Godshalk stated she has also received numerous calls and emails, and she asked that those people attend the meeting this evening to speak to this issue. She stated today she received an email from someone who suggested that they bring back hunting they had years ago, and have it during controlled times and under controlled conditions by issuing special licenses and use shotguns which are approved for deer in Pennsylvania and which are safer than any rifle. Mr. Shuster stated they can give information on this as well noting that this is a good area for shotguns as well as for archery.

Mr. Caiola asked if their organization has done any of this work in any other Municipality, and Mr. Shuster stated a number of individuals in their organization are experienced archers and have hunted for a number of years and do hunt within the Township with permission by the landowners. Mr. Caiola stated he personally would like to see this done as quickly and painlessly as possible for the deer. He stated he needs to be comfortable with archery in this regard before he would consider it as an alternative. Mr. Shuster stated the technology has improved and it is an efficient method which is relatively rapid, and he does not feel that a sharp shoot is any more humane or ethical than an archery hunt.

Mr. Shuster stated as a local hunter, he would prefer hunting in the area as opposed to having to drive a far distance; and he feels he would be benefiting the Township as well.

Mr. Pete Oliveri, Levittown, stated he is the Archery Chairman at Falls Township Rifle and Pistol. He stated they would be willing to test for archery skills, and they are in favor of fair chase. They are not in favor of rifles in a heavily populated area.

Mr. Richard Johnson, 1220 Evergreen Road, expressed his support for the use of bows and arrows in reducing the deer population. Mr. Johnson asked the projected Township surplus funds for December, 2007, and Mr. Fedorchak stated they are in the process of preparing the 2008 Budget, and in the course of doing this, they will make year-end projections. He stated he does not anticipate having these numbers for at least a few weeks. Mr. Johnson stated he has heard the projected surplus will be very small, and he questions if the Board has an idea what the tax rate for the Township will be next year. Mr. Johnson stated at the last meeting some of his questions were unanswered, and he asked if any of the Supervisors have any empirical evidence or unbiased studies showing that contractors with apprentice programs which have graduated an apprentice to journeyman status in each of the last three years do better work than those without such a program. He stated public deliberations when the Board passed the Responsible Contractor Act did not touch on this. He also asked if the Board has an idea how much more Township construction will cost because of the Ordinance and asked if this extra cost is being budgeted for 2008. Mr. Johnson stated on September 19 Mr. Santarsiero stated that he was "Union and proud of it," and Mr. Johnson stated he agrees that this is true as his campaign for County Commissioner has received over \$47,000 from Unions through June of 2007 according to official records, and he feels there will be a lot more. He feels Mr. Santarsiero's position with regard to Union Labor and Responsible Contractors as expressed on the front page of today's Courier is incomprehensible, and he does not see any relation between the Court House and a \$75,000 contract except that Mr. Santarsiero wants to give all work to his Union supporters. Mr. Johnson asked Mr. Smith and Mr. Caiola what they and the other Democratic Candidates have promised the AFLCIO and how much will this cost the Lower Makefield Township taxpayers.

Mr. Caiola stated with regard to budgeting for extra costs, he does not feel there is any guarantee that there will be extra costs. He stated they have gone out to bid once under the new Ordinance, and that item came in under Budget. He stated they have not promised the AFLCIO anything.

Mr. Santarsiero stated the Responsible Contractor Ordinance actually helps the Township make sure that they get the most responsible bidder who will do the best work for the cost. He stated they have had one bid so far, and it was the lowest bid. He stated if they were to get three bids and they all met all the criteria set forth in the Ordinance but not the Apprenticeship Program, the Board still has the ability to award the bid to the lowest bidder that meets all the other criteria. He stated the criteria are designed to make sure that the Township has a legal basis to defend their decision in hiring the most responsible contractor. He noted that approximately one and a half years ago when they went out to bid to get a contractor to do work on the sewer line into Morrisville, there were a number

of bids and the lowest bidder was a company they were not satisfied with as they had done research and found that they had problems in other areas where they had bid and done the work and that they had “back loaded” a lot of the work and the cost. He stated the Board unanimously decided they did not want to award the contract to that lowest bidder as they felt they were not the lowest responsible bidder. They awarded it to the next lowest bidder after doing research on that firm. He stated the first company sued the Township; and while the Township felt they had a good argument, the Judge disagreed, and made the Township hire the first company. Mr. Santarsiero stated they did not have an Ordinance in place at that time upon which they could rely to show the Judge their objective criteria; and as a result, the Township lost the case.

Mr. Santarsiero stated Mr. Johnson is a member of the Pennsbury School Board, and they have recently had problems with work that was done for Pennsbury at the Oxford Valley Elementary School which caused a delay in opening. Mr. Santarsiero noted an article in the Bucks County Courier Times after Mr. Johnson last appeared before the Board of Supervisors, which discussed this delay; and it quoted Mr. Johnson who indicated, “The Board is required to award contracts to the lowest responsible bidder, although ‘responsible’ is not clearly defined.” Mr. Santarsiero stated if the School Board had a Responsible Contractor Ordinance, this would have been clearly defined. He stated because of this the School Board had to hire a sub-standard contractor which caused them problems at Oxford Valley Elementary School and the School District now has legal proceedings against that contractor. Mr. Santarsiero stated there was a similar problem a few years ago at Pennsbury High School. Mr. Santarsiero suggested that the School Board consider in the future having something similar to the Township’s Responsible Contractor Ordinance.

Mr. Santarsiero stated the Republican Candidates received approximately \$10,000 in contributions from organized labor and former Congressman, Mike Fitzpatrick, in 2006 was endorsed by the AFLCIO. Mr. Santarsiero stated Labor supports people who support good wages and good benefits. Mr. Santarsiero stated the Board enacted the Ordinance to save the taxpayers money since if they do not have to go back out to bid, or re-do projects, and know they are getting good value initially, it will save the Township taxpayers.

Mrs. Godshalk stated they did have an Ordinance previously and they had rules that bids be awarded to the lowest “qualified” bidder. They then added the apprentice program, and most people who have a small business do not have apprenticeship programs. She stated the Township is bound to hire people who pay the wages that are approved, and they must also sign time sheets. She stated they must pay fair wages although they may not have been Union. She stated she is concerned that they may have lost good jobs for people who had performed services in the Township because they did not have an apprentice program. She stated when they were considering the Responsible Contractor Ordinance they did not include the ruling that the contractors not hire illegal aliens. She

stated at the Golf Course the management company agreed to put this in their Contract five years ago at her request; but the Board would not agree to this with regard to the Responsible Contractor's Ordinance.

Mr. Santarsiero stated they did discuss the issue of illegals the evening the Board passed the Responsible Contractor Ordinance; and with Mr. Truelove's advice, they believe that the Ordinance which was passed does cover this and requires that Contracts be let legally and that the Contractor comply with existing Federal, State, and local laws which would include laws with respect to illegal aliens. Mr. Santarsiero stated there are companies that have apprenticeship programs that are not Union so this would not bar them. He reiterated that if a company has everything except for the apprenticeship program, and there is no bidder that has the apprenticeship program, the Board is free to hire that company. He stated the reason they passed the Responsible Contractor Ordinance was because they did not have any objective criteria and only had the vague statement that they had to hire the lowest responsible bidder, but there was no definition for "responsible." Mrs. Godshalk stated she feels this is debatable.

Mr. Smith asked Mr. Fedorchak the breakdown of taxes for the School, County, and Lower Makefield. Mr. Fedorchak stated with regard to the property taxes, the School District would be the largest piece of approximately 80% of taxes paid by Lower Makefield Township taxpayers. The Township's share would be 8%, and the County would be approximately 12%. Mr. Smith asked the Township tax increase for 2007, and Mr. Fedorchak stated the Township did not increase taxes in 2007. Mr. Smith stated he assumes Mr. Johnson is familiar with the Pennsbury School Calendar, and he asked the date where they have the ceremony to celebrate the first time that they do not have an increase in the School taxes. Mr. Johnson agreed this date does not exist. Mr. Smith agreed and stated that for the last twelve years that Mr. Johnson has been serving on the School Board, year after year, he as part of the Board has hit the Township with continual increases. He stated the first year that he, Mr. Caiola, and Mr. Santarsiero were on the Board of Supervisors, the increase for Lower Makefield Township taxes was 0 percent. Mr. Smith stated Mr. Johnson has hit the Township and other Townships which are part of the Pennsbury School District with tax increase after tax increase, Schools which are not on-line in time, cost overruns, litigation, and School strikes. He thanked Mr. Johnson for his comments and asked the next speaker to speak at this time.

Mr. Jerry Maddock, representing Ecologics a biodiversity group from Bedminster, stated they are running the deer program in Upper Makefield Township. He stated it has been very difficult to get word to the Lower Makefield Board of Supervisors how their program runs in Upper Makefield. He stated they requested the opportunity to make a presentation to the Environmental Advisory Council and were told that they could come to a Supervisors meeting during Public Comment but added it is difficult to go into detail during Public Comment. He stated he has brought a packet of information regarding their program in Upper Makefield, and he asked that the Board look into this. He stated

in Upper Makefield they are running a highly-managed archery program. He stated when he last spoke before the Board of Supervisors during Public Comment he reported that they were at 64 deer compared to 118 for the entire season last year. Currently they are at 219 deer with three and a half months left to the season. He also requested that the Board consider the offer made by the archery group from Falls Township.

Mr. Dave Kimble, Bucks County Representative for the United Bow Hunters of Pennsylvania and a member of the Falls Township Rifle and Pistol Association, stated in Neshaminy State Park there is an organized hunt and the archers who sign up for this do not have to meet any requirements. He stated the Ecologics group makes sure that their archers are qualified through testing programs. He stated he is involved with a program that certifies bow hunters. He stated he would be willing to review the certification program with the Board members when they go to the Falls Club. Mr. Smith stated he does want to get all the information before making any final decisions.

Mr. Zachary Rubin, 1661 Covington Road, stated Mr. Johnson asked if there was empirical evidence to prove that apprenticeship programs produce superior and cost-effective work. Mr. Rubin stated he has access to the Internet and you can go to the U.S. Department of Labor which has a Pennsylvania Office of Apprenticeship Training Programs; and if Mr. Johnson has access to a computer he could see studies discussing the asset of having a Union apprentice program. He stated this regulatory body regulates Union and non-Union apprenticeship programs. Mr. Rubin stated the last study done indicated there were over 1,700 people in the State who are enrolled in non-Union apprenticeship programs. Mr. Rubin stated he feels you can see on-line that the quality of work is empirically proven through case studies that apprenticeship programs work by Union apprenticeship programs. He stated Union apprenticeship programs have three hundred times more women enrolled in their programs than non-Union apprenticeship programs. Mr. Rubin stated when the Ordinance was passed, Mrs. Godshalk did raise the issue of illegal aliens; and he noted if you go to the Department of Labor to enroll in a Union or non-Union apprenticeship program, you must produce a Social Security Number and Proof of Citizenship so if there were contractors who had apprenticeship programs, you can be at ease as to the concern with regard to illegal aliens. Mr. Rubin reviewed the history of Immigration and Immigration Bills. Mrs. Godshalk stated her concern is not with immigrants but with illegal aliens.

Ms. Debbie McConnell stated she would like to speak on behalf of the deer and questioned why the Board has the right to have these animals killed. She is also concerned with bullets in a residential area. She stated the animals were here before the developments. She asked if there is not a more ethical way to deal with the deer problem. She stated she will stand in front of the sharp shooters and bow and arrow hunters to stop this. She stated she hopes others will stand up against this as well. Mrs. Godshalk stated a month ago she did try to discuss with the Board of Supervisors about trying to co-exist with the deer. She stated while she is not against hunting, she is against slaughter.

Mr. Smith reiterated that this is an extremely difficult decision, and he thanked Ms. McConnell for expressing her opinion.

Mr. Matt Maloney, 2 Hillside Lane, stated Mrs. Godshalk abstained on the vote for this, and this is the same as not being present at all. He stated he and Ms. Wachpress will be debating Mrs. Godshalk and Mr. Stainthorpe on October 25 at 7:30 p.m. in their campaign for Township Supervisor, and the debate will be re-broadcast two times.

Mr. Stainthorpe stated he is pleased that this is the last Board meeting before the Election. He stated he has been appalled at how both sides have taken over Public Comment for their own political purposes. He stated he has never seen a citizen treated worse than Mr. Johnson was treated this evening; and he feels everyone should be treated with respect whether they agree with them or not. He stated going forward he would like to see the Township Board meetings used to conduct Township business.

Mr. Smith stated he agrees with Mr. Stainthorpe's comments; but noted when he and Mr. Santarsiero went to the Pennsbury School Board on behalf of the residents of Lower Makefield Township, they were treated very discourteously by Mr. Johnson. Mr. Smith stated he agrees the Board meetings should not be political debates but should be to conduct Township business. He stated he feels Mr. Johnson came in to attack people on the Lower Makefield Board for political purposes. Mr. Smith stated he too looks forward to the next meeting when the Election is over and they can move forward and make Lower Makefield a better place.

Mr. Caiola stated he agrees with Mr. Stainthorpe as well and stated they attempt to be public servants first and politicians second. He stated despite their differences of opinion, all of the Supervisors are trying to make the Township a better place. He stated he agrees with Mr. Stainthorpe that they should not be politicizing things as they are not getting anything accomplished when they do this. He stated he does feel some of the questions Mr. Johnson raised were legitimate questions but feels some of them were politically motivated and feels the Board should make a conscious effort to stick with Township business.

Mr. Smith stated he feels when everyone works together they can achieve great things.

APPROVAL OF MINUTES

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve the Minutes of October 3, 2007 as written.

APPROVAL OF OCTOBER 1 AND OCTOBER 15 WARRANT LISTS AND
SEPTEMBER, 2007 PAYROLL

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve the October 1 and October 15 Warrant Lists and September, 2007 Payroll as attached to the Minutes.

A short recess was taken at this time. The meeting was reconvened at 9:30 p.m.

DISCUSSION ON QUILTING GROUP

Mr. Santarsiero stated he was notified that a Lower Makefield quilting group has been meeting in a room at the Lower Makefield Library on Wednesday mornings for a number of years. He stated the Library system instituted a rule in 2004 that stated you can only book the room twelve times a year, and they have now decided to enforce this rule so that the group cannot use the room once a week. He stated he agreed to bring the matter to the Board's attention and ask that the Board authorize that a letter be written to the Library Board asking for an exception for this group as they have been meeting there since the 1990s. He stated he hopes that at some point in the future there will be other places where groups can hold meetings; and if this occurs they could meet there. He stated the group understands that if there were conflicts for meeting space, they would be willing to work around this.

Ms. Sara Ewing, 1193 Waterwheel Drive, stated she is a member of the group called The Sew Whats. She stated the Library began the group as a form of outreach to the community. She stated they do all type of needlework. She stated they are trying to work with the Library Board and are looking for community support.

Mr. Caiola asked if she is aware if there is a space problem, and Ms. Ewing stated they have agreed to make allowances for other groups if there is congestion on the calendar. She stated there does not seem to be a demand for the room from 10:00 a.m. to Noon on Wednesdays. She stated when there are other requests, they have agreed to move to other rooms in the Library.

Mrs. Godshalk stated if they are not successful in their request, she would suggest that they use Elm Lowne. Ms. Ewing stated they would welcome any other suggestions. She stated the Library is a good location because of access since many of their members are older.

Mr. Santarsiero suggested they contact the Library Board to see if they can work this out and Mr. Smith stated the Board will send out a letter.

UPDATE ON VETERANS' DAY PARADE

Ms. Marielle Wolf, a volunteer with the Special Events Committee, stated they would like to extend an invitation to all Veterans and active military to attend the Township's first Veterans' Day Parade on November 11 beginning at 1 p.m. She stated this will be a salute to Veterans past, present, and future and while no uniforms are necessary, Veterans are welcome to wear them along with any medals. She stated this is a free family event and all are welcome to decorate non-motorized vehicles in red, white, and blue. They are still looking for volunteers to assist that day and also need residents who would be willing to donate their convertibles for the day to transport veterans down the Parade route who cannot walk. She stated to date they have eight cars donated. She stated there will be a wreath ceremony after the parade at the pocket park on the corner of Heacock and Edgewood Roads with light refreshments and music. She stated further information can be obtained by contacting them at their e-mail address, specialevents@lmt.org, or on the Township Website. She stated they will have guest speakers including Congressman Patrick Murphy, Alfred Ludwig an eighty-seven year old retired Master Sergeant, and Andy Ludwin, an author/historian. The Pennsbury High School Marching Band, Girl Scouts, Boy Scouts, Irish dancers, a pipe band, and the High Wheelers will also be in attendance.

Mr. Smith stated there are a number of disabled Veterans who would like to come but the Parade will be one mile long which they are not able to do. He stated that they need volunteers to help transport these disabled Veterans to the event and asked those who can help to contact the Township.

Mr. Kevin Treber, Liaison from the VFW, stated they are working with the Special Events Committee; and he would ask all Veterans to come out to this event. He stated they will meet at Edgewood Road at Whitehall Road at Noon. Mr. Smith noted there will be some traffic congestion in the area for a few hours. Mrs. Godshalk stated she usually attends the Veterans event in Yardley Borough and asked how this Parade will impact that event. Mr. Treber stated the Yardley Borough Event will start at 10:15 a.m. and they will march from the Yardley Borough American Legion to the Memorial. The Lower Makefield Special Events Committee is working on getting transportation from that event to the start of the Lower Makefield Parade. Mr. Treber stated the Lower Makefield event is open to all Veterans – not only those who live in Lower Makefield.

Ms. Kathy Kraeck stated they have received a donation of 3,800 flags so all those who march and those who watch the Parade will have a flag. She encouraged all children to become involved in honoring the Veterans. She stated they will also be honoring some local families who have lost family members. She stated this will be a multi-generational event.

Mr. Smith stated they are not supporting war – they are supporting the Veterans.

Mrs. Godshalk stated Dave Christian spoke at last year's Yardley Borough Veterans Parade. She stated he is the most decorated person from the Vietnam War. She stated he described the impact his attendance at a Veteran's Parade had on him as a young child, and she encouraged all children to attend.

Ms. Kraeck stated this event will be after Election Day and they will come together as a community and unite. She stated they have a 16 foot long flag; and all the local politicians, regardless of their Party, will come together to carry this flag. Mr. Smith noted Ms. Becky Cecchine obtained this flag for them. Mr. Smith thanked all the Special Events Committee members for their work on behalf of the Township.

Mr. Rubin asked the location of Whitehall Road, and Mr. Smith stated it is between Schuyler and Sumter adjacent to Yardley Hunt.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road stated a few months ago an article was in the Bucks County Courier Times about a Marine Corps Division that we denied the right to march in Philadelphia, and she asked if they could reach out to those individuals to see if some of them could be brought to this Parade and give them some recognition. Mr. Smith stated they will look into this and see if they can contact them. Mr. Smith stated people who have been involved with any of the Services are welcome to attend.

DISCUSSION AND MOTION ON BUCKS COUNTY REGIONAL TRAFFIC STUDY FINAL REPORT

Mr. Gary Gilman, Chairman of the Citizens Traffic Commission, stated he sent a letter dated 10/10/07 about the Bucks County Regional Traffic Task Force, and the Study which was published as a preliminary draft in the summer. He stated the Citizens Traffic Commission was asked to look at it, and they prepared a number of comments as did the Traffic Engineers, TPD. Mr. Gilman stated on September 19 the Township under signature of the Township Manager, sent a six-page letter to the Task Force and enumerated thirty-six areas of concern which relate to the quality of life of the Township residents with regard to traffic safety and traffic congestion. Mr. Gilman stated they do not know whether those thirty-six items have been addressed. He stated they are concerned that on October 24 the final report will be disseminated to members of the Task Force; and they understand that there will only be five days remaining within which to analyze the report and make comments, with a vote to be taken by the Task Force on October 29. They are concerned that this may not provide enough time to have the final report reviewed. They are asking that the Task Force members from Lower Makefield request additional time to review the report and make comments. He stated if the request is denied, and it is determined that the concerns of the Township have not been

adequately considered or addressed, and a vote is taken, they would ask the Township representatives vote this down.

Mr. Stainthorpe stated he and Mrs. Godshalk were on the Task Force many years ago and back then his understanding was that these were non-binding recommendations, and the Task Force has no authority under State law and is strictly voluntarily. He stated it would be the responsibility of each individual Municipality, Township, or Borough to decide whether or not they want to proceed with the recommendations in the report. He stated he feels the two representatives who have been serving on the Task Force for the last two year should use their judgment as to how to proceed as opposed to taking a vote of the Board. He stated some of the items of concern of the Citizens Traffic Commission are already known to the Township and are being planned for by the Township regardless of the Task Force report.

Mr. Santarsiero stated many of the items recommended in the draft report are items that PennDOT would likely do; and to the extent that the report is not changed to address the concerns of Lower Makefield and some of the other Townships, if it gets the support of the Regional Traffic Task Force, it could then “take on a life of its own.” He stated he does not feel there will be any representatives present on October 29 who will have authority from their various Councils or Boards to take a final vote because their Boards and Councils would not have had an opportunity to review the final document submitted on October 24 and discuss and vote on it in an open meeting. He stated he feels they need to make a strong statement that more time is needed no matter what is in the document.

Mr. Caiola stated he agrees with Mr. Santarsiero although he also agrees with Mr. Stainthorpe that this is a recommendation. He stated he feels they should ask for more time to consider this. He stated he agrees that in order for them to vote on something that has to do with Lower Makefield, he and Mr. Smith would need the support of the Board to do that.

Mr. Gilman stated the Citizens Traffic Commission recognizes that they are only an Advisory Board; but they do feel they are empowered to advise the Board of Supervisors, and they unanimously agreed that they should ask for more time.

Mr. Smith stated he and Mr. Caiola are looking for a regional approach but also represent Lower Makefield Township to make sure that they protect the interests of the Township. He stated he has been concerned for the last two years about Lindenhurst Road and feels Lower Makefield Township has done great traffic calming measures but he feels that they may be getting delayed in doing some things because of the Task Force. He stated Lower Makefield has moved ahead in doing some of the traffic calming in spite of the Task Force. He stated people from different communities have come out and blamed Lower Makefield Township for doing things on Lindenhurst Road which they feel deflect traffic

onto Swamp Road. He thanked Ms. Herman and her group for their involvement in traffic concerns as well.

Mr. Santarsiero moved and Mrs. Godshalk seconded that Mr. Smith and Mr. Caiola be given authority to request additional time to make a decision on this document until after the various Boards and Commissions have had an opportunity to meet; and if this is denied, that they be given authority to vote this down.

Ms. Herman stated she agrees that this document will take on a life of its own once deemed a final report by the Regional Traffic Planning Task Force, and when others look at it in the future, they will not remember that it is a recommendation. She stated it includes many things that the Townships have expressed serious concerns about.

Mr. Smith stated there are a number of items in the draft that he was not in favor of so that if these are not changed, he feels there are sufficient items included in the report which would cause him to vote it down not only because of the lack of time to review it.

Motion carried unanimously.

Ms. Herman stated she is concerned that despite repeated efforts to have the Minutes from the May 30 Regional Traffic Planning Task Force reflect that she read a letter into the public record at the meeting, they have not done so. She asked the Lower Makefield Board of Supervisors to see if there is an action that can have that corrected. She read a letter that R.R.T.S. has sent to State Representatives David Steil and Scott Petri who are the Chairmen of the Task Force (attached to the Minutes.) Mr. Stainthorpe asked that Mr. Smith and Mr. Caiola take care of this at the next meeting of the Task Force. Ms. Herman stated she feels there is continuing maneuvering within the Region to upgrade Lindenhurst and Stoopville Roads to be more than the collector roads they are today. She stated if this letter is not included, it does not indicate the danger of this road, and she feels someone is attempting to sanitize the Minutes. Mr. Caiola stated before they approve the July Minutes, they will have them rectify the May Minutes. Mr. Santarsiero stated they will also have Minutes from the upcoming meeting of the Task Force which will indicate that this was not done, and will then have Minutes to reflect this. Mr. Smith stated the Minutes of the last meeting will also reflect the fact that they asked that the letter be included. Mr. Santarsiero stated he understands that she is looking to have a paper trail.

DISCUSSION OF RETROFITTING DETENTION BASINS

Mr. Jim Bray and Mr. Geoffrey Goll were present from the EAC. Mr. Bray stated they are asking for permission to proceed with an economic and environment analysis. He stated they propose selecting certain basins around the Township and allowing them to

assume a more natural form by not mowing them except for once or twice a year. He stated this is a classic LID approach, and it will also entail a lower carbon footprint in the Township, improve water quality, and give a more natural look. He stated Northampton Township has a similar program, and they are seeing savings of \$40,000 to \$50,000 per year. He stated they have discussed this with Mr. Majewski, who is a firm supporter.

Mr. Stainthorpe asked who will do the analysis, and Mr. Bray stated the EAC will do it.

Mr. Smith stated he feels people may be concerned that if they proceed with this there will be more insects, etc.; and Mr. Bray stated when there are deeper-rooted plants, they absorb more water, and you have less standing water so that there are less mosquitoes. He stated these types of plants also appeal to birds which eat the insects.

Mr. Santarsiero moved and Mr. Caiola seconded to approve the proposed study by the EAC.

Mr. Stainthorpe stated he understands that the next step would be to have a pilot program, and Mr. Bray stated they would like to start with ten basins and add some each year. Mr. Goll stated they would propose having a neighborhood meeting around specific basins where they are considering this program.

Mr. Smith stated he has been approached by a number of students about getting involved with some projects with the EAC, and he asked if they would have an opportunity to do this. Mr. Bray stated they had not considered this, but he personally would welcome this noting there is sufficient work for people to do.

Ms. Helen Bosley, 546 Palmer Farm Drive, asked how other Townships have saved money from this; and Mr. Bray stated because they stop mowing except for a fringe area, they do not have costs to continually mow the basins. He stated in Northampton it costs \$800 to \$2,000 to mow each basin for the year based on its size. It was noted there are approximately 130 basins in Lower Makefield Township. Ms. Bosley asked if they could provide an example of a basin where this has been done; and Mr. Majewski stated there is one on Big Oak Road west of Stony Hill Road that has gone natural.

Mr. Fedorchak stated the annual detention basin maintenance is approximately \$100,000 per year. He stated this includes paying seasonal part-time employees who operate Township mowers which are supplemented by a number of contractors who mow basins in the Township as well.

Ms. Bosley asked how this would impact private property basins, and Mr. Bray stated they have no plans for this other than they hope to lead by example and hopefully they will contact the EAC on information about doing something with their basins as well.

Mr. Goll stated a number of EAC members are working with Sutphin Pines to try to go to a more naturalized, sustainable landscape design. They are looking into whether they can allow their detention basin to go to a meadow. He stated they would not stop all mowing; but they would be mowing it once a year as opposed to seven to nine times per year. This would keep them functioning properly.

Mr. Stainthorpe asked if the meadow plants will seed naturally or will they have to be planted, and Mr. Goll stated they feel much of it will seed naturally.

Mrs. Godshalk stated several years ago they took on a project with Dr. Ann Rhoads to plant some of the basins with natural plants, and asked if any of these still exist. Mr. Bray stated many of the plants that were used were invasive in nature. He is not sure if any of them are still in existence.

Motion carried unanimously.

GATHERINGS AT YARDLEY – CONTINUE TO A FUTURE MEETING

Mr. Truelove stated this has been continued by the Applicant to a future meeting.

TOWERING OAKS OF YARDLEY DISCUSSION

Mr. Rick Wilson was present with his daughter, Sharra Aaron, who is interested in moving into the model home that was built at Towering Oaks. Mr. Wilson stated they are present to request a Temporary Certificate of Occupancy since the home is virtually complete and all of the building inspections have been approved. He stated he feels the items that were in the latest memo from Ms. Frick are insignificant and minor in nature. He stated they are asking for two waivers. He stated the Development Agreement called for sidewalks to be built in front of the lot into which his daughter would like to move. He stated there are only seven homes in the entire development, and this is the only house in the development and there are no others that have deposits and the prospects are that there will not be another house in the development for at least another year for which they would be seeking a Temporary Certificate of Occupancy. He stated he does not feel they should be required to install a sidewalk in front of one lot. He stated he feels the sidewalks were for the safety of children walking to a school bus; and in this instance his daughter's children are one and four years old, and they do not walk to any school bus. He stated the other request they have relates to the driveway which was put within 4 feet of the property line. He later found out that there was an Ordinance which requires 5 feet; and he would ask for relief from this as well. He stated he owns the adjoining lot and it does not appear there is any harm to health or safety from having the driveway turn around be 4 feet rather than 5 feet. He stated he does have pictures of the property which

show that there is grass growing on the property and street trees have been planted. He stated there is a walkout basement area in the rear which will be constructed starting tomorrow and includes a patio area and there will be a sump pump that will draw out any water that could potentially collect adding that over the past year and a half that the house has been under construction, there has been no water.

Mr. Majewski stated at the time they initially did their inspection, there was no grass, but grass has now germinated on the property. He stated the Developer's Agreement does discuss sidewalks so that people would have access to a bus stop, etc. and anywhere else where it is needed for safety since if there are going to be school-age children, the sidewalk would be in front of the houses and lead out to Dolington Road for pedestrian access. Mr. Caiola stated by next year, Ms. Aaron will have a school-age child; and Mr. Wilson stated he feels it would make sense to do it next year. Mr. Majewski stated he feels they would need to put a time frame on this.

Mr. Majewski stated there were some issues with public safety which they observed when they were on site and these issues have been on-going at the property noting that there is a significant amount of construction debris on the right side of the entrance road, although Mr. Wilson has indicated he has a dumpster on site. Mr. Wilson stated two dumpsters have already been removed. Mr. Majewski stated he is hesitant about waiving some of the public safety issues, and he feels these should be resolved before anyone moves into the house. Mr. Majewski stated when the subject lot was cleared of trees, the debris was left around the outside of the lot which he feels is unsafe especially if there are young children moving into the house.

Mr. Caiola stated he feels these are all legitimate concerns and asked Mr. Wilson how long it would take to resolve these issues. Mr. Wilson stated two dumpsters have been removed and they dropped off a third today. He feels it will all be cleared up in two weeks. Mr. Wilson stated street signs have been ordered and should be in within two weeks. He stated the trees that were taken down were cut into eight foot sections, and they have already talked to a landscaper about taking these away. Mr. Caiola stated he would be in favor of approving the requests made by Mr. Wilson if he can come back in three weeks and report that all the items noted by Mr. Majewski have been resolved.

Mr. Smith stated it has been brought to his attention that there may be some outstanding fees due as well. Mr. Wilson stated he has asked for a copy of those so that he can go over them. He stated on October 27, 2006 he wrote a check to the Township in the amount of \$10,000. He asked for an explanation of the fees, and one year later he has not received this. Mr. Fedorchak stated they did have a number of conservations last year, and Mr. Wilson was given the information necessary to justify the previous bills. He stated he understands that he has since been provided on a monthly basis detailed information concerning professional service billings, and at this point Mr. Wilson owes

approximately \$32,000 which has accumulated over the last six months. He stated every month for the last six months, Mr. Wilson has been receiving detailed invoices.

Mr. Wilson stated when he met with Mr. Fedorchak four to six weeks ago, he requested copies of those bills. He also made a request at that time regarding the sanitary sewer line that was originally to go diagonally across the Farmland Preservation property. He stated he was asked to change this and go around the farm and this caused him to incur approximately \$15,000 worth of billings. He stated last year the Township solicitor recognized it was the Township's obligation for the change in routing since the original Subdivision Plans had been approved showing this going diagonally and additional fees were incurred to satisfy the Farmland Preservation Corporation's request to go around the farm. Mr. Smith asked if he is disputing the bills or stating he has not received the bills in order to review them and possibly dispute them. Mr. Wilson stated he has not received the bills; and once he has received them, he would like the opportunity to review them.

Mr. Brian McCloskey, Finance Director, was present, and Mr. McCloskey stated bills have gone out on a monthly basis to Mr. Wilson. He stated after the meeting in September, they sent out a complete detailed listing of every invoice that was still outstanding. Mr. Wilson stated there are some bills he did not receive; and of the bills he did receive, he would like to go through and discern which of the bills are related to the change of direction as result of the Farmland Preservation Corporation asking him to change the direction of the sewer line. Mr. Smith asked if he would agree that there are expenses owing, and Mr. Wilson agreed. Mr. Smith asked that the Finance Director again send to Mr. Wilson copies of the bills he has indicated he has not seen. Mr. Smith asked Mr. Wilson to contact the Township if he does not receive the bills one week from this Friday. Mr. Wilson stated he would be willing to come to the Township and pick them up.

Mr. Conti stated at the June Board of Supervisors meeting, Mr. Wilson requested permission to install a well at the model home for a maximum time of six months contingent on his restoration of the Farmland Preservation property that was disturbed and posted in escrow in an amount determined by the Township engineer. He stated the Township engineer wrote a letter on August 16 indicating what needed to be done in the easement and indicating the cost to remedy the property would be up to \$3,000. Mr. Conti stated nothing has been done, and Mr. Wilson is denying the need to pay this \$3,000. He stated Mr. Santarsiero had previously asked if there were additional costs relating to expenses incurred by the Farmland Preservation Corporation regarding the easement, and Mr. Conti referred to his letter written to Mr. Fedorchak in April indicating the additional costs were \$4,200 if they went into 2008. He stated he has since revisited this; and if they correct the easement this year, he can reduce the amount to \$3,256.

Mr. Smith stated he does not feel that they will proceed with anything this evening.

Ms. Aaron stated the debris at the front of the development is very far away from the home she is planning to move into so she does not feel this would be a hazard. She stated the wood around the outside of the property is pushed out to the side to where there are existing woods and it is being removed. She does not feel this would be a hazard either. Mr. Smith stated he recognizes that she wants to move into the house, but they need to rely on the opinion of the Township engineer. He feels they have set the thresholds which would allow them to address the relief requested. He stated they must also address the financial concerns as well.

Mr. Wilson stated he would request that they put this in the form of a Condition so that they are not coming back in three weeks time and then being told that they have to put in a sidewalk. Mr. Caiola stated he is personally not as concerned with the relief requested as he is with the other issues that have been raised.

Mrs. Godshalk stated she is concerned that if people come in to look at the lots and do not see a sidewalk in front of the house, they may feel there will not be sidewalks. She feels they should have a date as to when the sidewalks will be installed. Mr. Wilson stated he would not have a problem in doing this.

Mr. Wilson stated with regard to Mr. Conti's comments, after the June meeting he did speak to Mr. Majewski and Mr. Majewski told him that any of the damage that was being represented at the time, was not in fact on the Farmland property, but was within the right-of-way and was not affecting any of the farm crops. Mr. Majewski stated this is not correct, adding he indicated that the majority of the major damage was in the right-of-way but where he cut across the Farmland Preservation area, the soil was disturbed to the extent that it is not as usable for farming; and they did send out a letter indicating what needed to be done to correct these problems.

Mr. Smith stated once the items on the punch list are addressed along with the financial issues being resolved, they can come back to the Board for a decision.

ZONING HEARING BOARD MATTERS

With regard to the Woodside Presbyterian Church, 1667 Edgewood Road, Variance requests to permit distance from parking to property setback line to be 1,146 feet rather than 25 feet as required, it was agreed to leave this matter to the Zoning Hearing Board.

With regard to the Katarina Hauben, 329 Sherwood Drive, Variance request to replace existing rear concrete patio and front concrete walkway with new rear patio and front walkway resulting in greater than permitted impervious surface, it was agreed to leave this matter to the Zoning Hearing Board.

AWARD BID FOR MOWING BASIN OPEN SPACE

Mr. Fedorchak stated the staff has recommended award of bids for mowing basin open space. These are three-year Contracts.

Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried to award the contracts as noted by Mr. Fedorchak.

APPOINTMENTS

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to re-appoint David Fritchey to the Park & Recreation Board.

There being no further business, Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to adjourn the meeting at 10:55 p.m.

Respectfully Submitted,

Steve Santarsiero, Secretary