

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES – MAY 7, 2008

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 7, 2008. Chairman Caiola called the meeting to order at 7:30 p.m. A moment of silence was held in honor of slain Philadelphia Police Officer Stephen Liczbinski. Mr. Maloney called the roll.

Those present:

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

Others:                                    Terry Fedorchak, Township Manager  
  David Truelove, Township Solicitor  
  (joined meeting in progress)  
  Bucky Closser, Township Solicitor  
  (left meeting in progress)  
  James Majewski, Township Engineer  
  Kenneth Coluzzi, Chief of Police

**PUBLIC COMMENT**

Mr. Gary Cruzan, 729 Stewart's Way, asked that the Board consider changing the name of Big Oak Road in the vicinity of the Matrix project to honor Robert Sugarman, the attorney who worked with RAM. He stated he would propose naming the road Robert Sugarman Way. He stated Mr. Sugarman has spent his career fighting land use problems. Mr. Cruzan stated he feels Mr. Sugarman has saved this area and feels this would be a fitting way to honor him. He stated Mr. Sugarman is currently fighting a health issue and he feels there could be some urgency so he would like to put up a temporary sign so that Mr. Sugarman could be present to see this. Mr. Santarsiero stated he and Mr. Cruzan had the honor of working on the Board of Directors of RAM with Mr. Sugarman as their attorney. He stated Mr. Sugarman has been a force throughout Southeastern Pennsylvania as someone who sought to defend the interests of the community. He added Mr. Sugarman would frequently overlook legal bills, recognizing that RAM was having financial difficulties; and he did this because he believed in the cause. He stated having Mr. Sugarman as their counsel was invaluable, and this would be a fitting tribute. He stated the stretch of road they are considering would be between the intersection of Big Oak at Oxford Valley west toward Middletown; and part of this does go into Middletown Township, so it may require Middletown Township to take action as well. He stated

there are no existing homes or businesses in this location so no one would have to change their address.

Mr. Sam Conti, Sutphin Road, stated at the last meeting of the Board of Supervisors, the Sewer Authority reported on the good condition of the sewer system and also indicated that they were opposed to the sale of the sewer system. Mr. Conti stated he is concerned that the Board of Supervisors had not previously asked that the Sewer Authority make such a report. He stated he also is concerned with the amount of money paid to Howard Woods, the sewer consultant, as he understands Mr. Woods was paid \$76,000. He asked that the Board of Supervisors reconsider their vote which rejected the Aqua proposal and instead adopt Mr. Smith's original Motion to cancel any further consideration of selling the sewer system. Mr. Caiola stated the Sewer Authority was never told not to come to a meeting and the matter was on the Board of Supervisors Agenda for many months. He stated the members of the Authority had every opportunity to attend as a Board or as private citizens and take part in the discussions. Mr. Conti stated he feels they should have been asked to attend. Mr. Fedorchak stated the first presentation made by Mr. Woods was to the Sewer Authority.

Mr. Mark Patterson, Longshore Estates, thanked the Board and Chief of Police for intervening regarding problems he has been having with the gravel trucks. He stated the trucks come down Dolington Road at 3:30 a.m. to 5:30 a.m. with a truck every ten seconds. He stated the Chief indicated they would have Patrolmen in the vicinity to monitor this situation. Mr. Patterson stated the number of gravel trucks has increased over the past year. He stated he understands that this is a State road so that the Township is limited as to what they can do, but he would appreciate any help that the Township can provide. He suggested that the Officers come out once or twice a month to monitor this situation. Mr. Smith stated last year the Board passed an Ordinance limiting the hours that trash haulers can come into the Township. He stated he and Mr. Caiola have been serving on a Regional Traffic Task Force which was trying to address the truck traffic in the area. Mr. Santarsiero suggested that Mr. Patterson come to the next meeting of the Citizens Traffic Commission which will be held at the Township Building on May 19.

Ms. Cynthia Springer, 615 W. Melissa Circle, stated they are having problems with people from the Sunrise Development parking in her neighborhood. She stated there seems to be insufficient parking to meet the facility's needs. Mr. Caiola stated if parking is a problem, it will be addressed because the Township grudgingly approved this project, and were assured by the developer that parking would not be a problem. Chief Coluzzi asked Ms. Springer to contact the Police Department if she is aware that cars from Sunrise are parking in their neighborhood. He stated the Officers have already been advised to put warning tickets on the cars advising them that they are not to park in the neighborhoods. He stated they will also be sending an official letter to Sunrise from the Township. Mr. Santarsiero stated the Township did file an Appeal to the Court against the development, but once changes were made to the Plans, the Township had to

withdraw their Appeal. He stated the developer did assure them that there would be sufficient parking for the employees and visitors, and the Township will stay on top of this issue.

Ms. Tracy Rizzuto asked for an update on any upcoming public meetings with regard to the Scudders Falls/I-95 project and the sound barriers. Mr. Caiola stated the Board has gone on record with the Bridge Commission that the Township feels the sound barriers are important for the community. Mr. Fedorchak stated he had a discussion with the Project Manager, George Alexandridis, approximately two months ago; and he advised that NJDOT, PennDOT, and the Federal Highway Administration were reviewing their Plans. Mr. Alexandridis advised that he anticipated that sometime in May the Delaware River Joint Toll Bridge Commission would be conducting a series of public hearings. Mr. Fedorchak stated he called Mr. Alexandridis last week for an update, but has not received a return call. Mr. Fedorchak stated once they have a date certain for the public hearing, he will contact all those involved. Ms. Rizzuto stated on April 28, they tried passing their Final Plan. She stated Ms. Colleen Klock was in attendance at that meeting and had them table the matter until May 19. Ms. Rizzuto stated she has been in contact with Mr. McCartney; and while he indicated he is willing to meet with the neighbors, a date has not been set.

Mr. Santarsiero stated he will be meeting with Mr. McCartney next week and will discuss this with him. Mr. Santarsiero stated he is aware that there is some difficulty in securing the funding for this project, and he feels much of this project will remain fluid until they have the financing in place; and they are not close to having the funding in place. He stated he feels it is appropriate to keep the pressure on them in terms of the sound barriers, but he does not feel a final decision will be made on this in the near future because of the financing issue. Mr. Santarsiero stated in addition to meeting with Mr. McCartney, he will also be meeting with the Counsel for the Bridge Commission and he will discuss the sound barriers with them. He stated the Board of Supervisors have been advocates for this in the past and will continue to be advocates for the sound barriers. He stated originally they were not considering any sound barriers in this region, but the Board of Supervisors continued to press this issue. He stated he met with the Governor in December, 2006 and raised this issue with him noting the noise was already an issue and would be worse once the highway was expanded and the volume builds up. Mr. Santarsiero stated five months later, the Bridge Commission did state they would include sound barriers, but the issue now is that there is a need to extend the sound barriers to cover all impacted residents. Ms. Rizzuto stated they must cover the residences which are already above the legal limit. She stated they have proposed sound barriers in some areas where the legal limit is not exceeded, but are not proposing them for residences which are already over the legal limit and they are only getting a 50” barrier wall which she feels is unacceptable. Mr. Caiola stated he has spoken out at public meetings on this issue and advised that Lower Makefield, in concert with Ewing Township, is very serious about pursuing sound barriers.

Mr. Dave Yantz, Upton Lane, stated he went to the Bridge Commission meeting on April 28, and it is his understanding that they have a proposal to have sound walls down to the River; however, some of the walls are only five feet high, and he feels there is a need for higher sound walls. He stated they tabled the Motion with the idea that they would come to the Township and discuss it in an open forum. He stated there were many more people present who were lobbying for the bike lane on the bridge, and he would like to see more people from Lower Makefield show up at the Bridge Commission and voice their concern about the sound barriers. He stated the next meeting of the Bridge Commission is on May 19 at Lambertville Station at 10:30 a.m. Mr. Yantz also noted he witnessed a quarry truck coming down Lindenhurst Road which went right through the red light.

Ms. Colleen Klock, Jacob Drive, stated she was at the last Bridge Commission meeting. She stated they wanted to pass \$3.2 million worth of sound barriers and an additional \$4 million worth of sound barriers which they referred to as “quality of life” sound barriers, which she feels are a result of intervention by the Board of Supervisors. She stated she feels there should be barriers along the whole project. At the meeting she requested that they attend a public meeting at the Township so that the residents can look at the plans adding that she does not feel the residents will be satisfied with what is currently being proposed. She stated the Bridge Commission was not aware that the residents were unhappy with the proposal, and she feels they seemed more than willing to meet with the residents. Mr. Caiola stated the Board will continue to keep in touch with them and remind them that they agreed to come back to a public meeting. Mr. Caiola stated a public meeting at the Township would have all the people affected in one place. Mr. Smith stated at the last meeting when they were present before the Board of Supervisors, they were told that the Township wanted to have sound barriers all along I-95 so he does not understand why anyone would feel that there were no concerns. Mr. Maloney asked that the Township advertise the date of the May 19 Bridge Commission meeting on the Township Website.

Ms. Sue Herman stated the Regional Traffic Planning Task Force last met on March 21 and important action was taken at the meeting which could impact regional traffic decisions affecting Lower Makefield. She asked if Mr. Caiola or Mr. Smith have received the draft Minutes from that meeting, and it was noted they have not.

Ms. Herman asked that they formally request the draft minutes so that they can review them to insure that they are accurate and include the Motion which was approved to have Mr. Steil’s office produce a replacement CD-Rom of the Bucks County Regional Traffic Study that was to include a number of items. She stated Mr. Steil should be asked to publish the CD-Rom as soon as possible. Mr. Caiola agreed to contact Mr. Steil about this.

Mr. Bob Slamen, Bedford Place, stated he agrees with the recommendations made by Pete Vitale in a recent letter to the Editor that the Township should not float any more

bonds for small parcels of open space, should sell Elm Lowne, sell the Golf Course, not build a Senior Center, and not spend money on wind power or solar power. Mr. Slamen stated he is also opposed to the Union Contractor Ordinance which he feels excludes a lot of good contractors and will increase costs to the Township and the taxpayers. Mr. Slamen stated his only interest is controlling taxes.

#### APPROVAL OF MINUTES

Mr. Maloney moved, Mr. Smith seconded and it was unanimously carried to approve the April 16, 2008 Minutes as written.

#### REVIEW OF QUARTERLY REPORT

Mr. Brian McCloskey, Finance Director, was present and stated the quarterly report was included in the Board's packet for the quarter ending 3/31/08. He stated normally the first quarter is light in activity as they do not see the influx of tax revenue until the second quarter. He stated the tax revenue had been lagging through the first quarter and in discussions with the Tax Collector, it has been found to be a County-wide phenomenon and the banks and residents are paying the taxes at the last possible date at which they can still get the discount. He stated as of today, they are ahead at the same point in time this year versus last year, but as of March 31, they were slightly behind. Mr. Caiola asked the percentage of collection the Township receives, and Mr. McCloskey stated last year it was 99.4%. Mr. Caiola commended Ms. Cecchine for her diligence in bringing in these funds.

Mr. McCloskey stated the Real Estate Transfer taxes are behind what was collected by this time last year. He stated this is a result of the nationwide housing and credit crisis. He stated it is difficult to predict where the Township will be by the end of the year. He stated they did receive notification today of the April numbers, and there is an 11% increase this year over this time last year. He stated there have also been some promising articles which came out this week about the housing market possibly turning. He stated they also were advised by Ms. Cecchine that two of the Matrix parcels sold in May for a total of 5.9 acres.

Mr. McCloskey stated the Pool Fund is performing well and as of 3/31/08, they have recognized a 10% increase in revenues although he feels this will taper down and they will have a 3% to 4% increase. He stated the reason for the early influx of revenue is because of the pool management system which asked members to come in to get their photos taken earlier rather than later. He stated expenses will be slightly higher because of the new system which has increased costs for customer service. He stated there are also a substantial amount of professional services budgeted for the pool for the projects

which will begin after the season closes. With regard to the Golf Course for the first quarter, they were ahead of Budget for two of the three months because of good weather. He stated April also exceeded Budget as well. He stated a new fleet of carts will be coming in by the end of May. Mr. McCloskey stated Sewer Revenue is down slightly primarily because of interest earnings. He stated expenses are also down in a greater number than revenue and part of this is a reconciliation that takes place every year of the transmission fees from the providers.

Mr. McCloskey stated there are also additional costs because of gasoline expenses, and while they were under budget for gasoline expenditures in past years, he feels they will be close to budget and possibly a few percentage points higher this year.

He noted the new format which provides a comparison of this year versus last year which he hopes is more helpful.

Mr. Smith questioned legal fees for the Golf Course of approximately \$11,000; and Mr. McCloskey stated there were two incidents which carried over from last year which involved breaking and entering. He stated they recently received word that the Township won one of the cases, and there will be a slight restitution from the breaking and entering which will go back to the Golf Course.

#### DISCUSSION OF BUCKS COUNTY WATER AND SEWER RATE INCREASE

Mr. Stainthorpe stated Bucks County Water and Sewer Authority operates two sewer lines (interceptors) one of which follows the Neshaminy Creek and one the Poquessing Creek which takes wastewater from many Municipalities in the lower part of the County to Philadelphia for treatment. He stated the treatment plants in Philadelphia are owned by the City and are not subject to PUC oversight. He stated Philadelphia advised Bucks County approximately one month ago that there will be an increase effective 7/1 of 27.5% on sewage treatment which will rise incrementally through 2012 so that the total increase will be 45.2%. He stated this is not something the Bucks County Authority can absorb, but they are taking steps to try to mitigate the impact. He stated a mid-year sewage rate increase is very unusual and they are going to have to increase rates to the Municipalities that use the service 24.2% effective 7/1. He stated in order to get to this from the 45.2%, Bucks County will have to do several things including refinancing debt of \$160 million which will result in significant savings. He stated they laid off one employee and through attrition plan to cut the office staff as well. He stated they recognize the effect this rate increase has on the Townships and individuals so by doing some of these things they are able to decrease the impact; but the Township will now have to decide how to deal with this and incorporate it into their rate structure.

Mr. Stainthorpe stated between 2001 and 2007 sewer treatment rates from the City of Philadelphia have gone up 108% which is well above inflation. He stated Bucks County Sewer and Water is demanding arbitration and will fight the increase. He stated they do not really know how much of these costs are related to treatment, and it could be other City Departments that need revenue. He stated the arbitration could take years; but if they are successful and get a rate decrease, it would be refunded back to the Townships.

Mr. McCloskey stated they will have to work on this and come back to the Board of Supervisors with recommendations as to what the Township can absorb with regard to the rate increase proposed for 7/1.

Mr. Stainthorpe noted the majority of the Township's treatment is done in Morrisville, but stated they will still have to consider how they can absorb this increase.

Mr. Closser left the meeting at this time. Mr. Truelove joined the meeting at this time.

Ms. Helen Bosley, 546 Palmer Farm Drive, thanked Mr. McCloskey for his presentation. She asked if any of the material that was presented to the Board of Supervisors will be put on the Website so that there is a comparison of the first quarter financial results compared to 2007 financial results and the Budget for the first quarter of 2008. While this is not currently available as it needed to be presented to the Board this evening first, the Board agreed that this should be done. Ms. Bosley asked the amount of Transfer Taxes received for the 2008 first quarter versus 2007 first quarter as well as the Budgeted amounts. Mr. McCloskey stated the Budget for the year 2008 is \$1.4 million. Through the first quarter of 2008, \$261,000 was received and for the same time last year it was \$324,000. Ms. Bosley asked about professional fees, and Mr. McCloskey stated they are essentially even with where they were last year at this time. Ms. Bosley stated last year the Board budgeted \$125,000 for legal fees and spent \$195,000. Mr. McCloskey stated they budgeted \$125,000 in the General Fund last year and came in at \$150,000. He noted they do budget legal and engineering in other funds. Mr. Maloney stated the 2008 total legal budget was \$185,000, with \$125,000 General, \$30,000 Zoning, \$10,000 for the Airport project, and some other items.

#### APPROVAL OF APRIL 5, 2008 AND APRIL 19, 2008 WARRANT LISTS AND MARCH, 2008 PAYROLL

Mr. Maloney moved, Mr. Santarsiero seconded and it was unanimously carried to approve the April 5, 2008 and April 19, 2008 Warrant Lists and March, 2008 Payroll as attached to the Minutes.

#### REPORT ON HISTORICAL AWARENESS DAY

Ms. Michele Stambaugh, Ms. Doreen Albahary, and Ms. Kaaren Steil were present to report on the recent Historical Awareness Day including a slide presentation of events which took place that day. Ms. Stambaugh thanked the Supervisors and Township staff for their help. She stated over 400 people went through the homes. She reviewed some of the positive comments they received. She stated with the Board's approval, they would like to begin planning for this event next year to be held May 3, 2009; and this was acceptable to the Board.

Mr. Caiola thanked Mr. McCaffrey for being their main sponsor.

Ms. Stambaugh noted the number of children who were present, and they would like to expand on the educational aspects. She stated they would also like to have more publicity including publicity in the Schools.

#### DISCUSSION OF MACCLESFIELD PARK TURF FIELD

Mr. Roger Deininger, President, and Mike DiMaio, Yardley-Makefield Soccer were present with a slide presentation of the construction of the turf field and pictures of the final field which was completed the end of April. Mr. Deininger stated the field is being used by all travel teams and is where they are holding their practices Monday through Friday. He stated it is an oversized field and can accommodate one large soccer field or three smaller fields for the eight to ten year olds. He stated no special shoes are necessary and the players' reaction has been overwhelmingly positive. He stated the field is fenced in with a four foot high fence except for around the goals where it is a raised fence. There are four entrance gates, two on either side.

Mr. Deininger noted recent articles about the potential of lead concentrations in artificial turf surfaces. He stated they had discussions with their contractor, General Sports Venue, about this and YMS also did testing on their own. He stated the contractor issued a statement emphasizing that all systems they are currently using are lead free. The contractor has been proactive in testing of their products and based on the testing, they can state that the products are safe and pose no known risk to human health or the environment. Mr. Deininger noted the fields in New Jersey which did have problems were installed in the 1990s. None of them were installed by General Sports Venue; and in fact, General Sports Venue will be taking out one of the field where there was a problem and will be installing the same surface that has been installed in Lower Makefield. Mr. Deininger stated YMS also took a sample of their surface and sent it to a third party lab for analysis, and the results were well below acceptable levels of lead in toys.

A short recess was taken at this time. The meeting was reconvened at 9:00 p.m.

#### PRESENTATION OF ENERGY AUDIT

Mr. Gary Sheehan, Suntechnics, Inc. was present with Peter Youngson, professor at Rowan University, and Mr. Andrew Hack, Senior engineering student at Rowan University. Mr. Sheehan thanked members of the Environmental Advisory Committee who originated this project as well as Mr. Fedorchak and other Township staff. He stated Lower Makefield is a pioneer in the State. He stated Suntechnics and Rowan have partnered to do this energy savings opportunity and renewal energy options study. He stated they first established an energy baseline and he reviewed the Township facilities which were monitored in the audit including the emergency center, maintenance garage, Township building, and the pool.

Mr. Hack who performed the energy audit stated with regard to energy efficiency, the Township is at an average level and could be more efficient if they used some of the opportunities they have identified in their report including a pool cover, increasing the efficiency of the pool heaters and hot water heaters, indoor and outdoor lighting, computer savings, and improvements to the HVAC systems which could result in savings of 24% of total energy costs. He stated they were able to break out by Department where electricity is being used and have provided a break down by building of electrical usage. Mr. Hack stated at the Township Building the main consumer is the HVAC system. He stated Township computers are also main consumers along with lighting and the TV-Broadcast communications room which is a large source of energy consumption. The report also outlines the main consumers for the other Township facilities.

Mr. Hack provided information on how to reduce heat loss at the pool including filling the pools earlier and taking advantage of natural heat, installing pool covers, and replacing heaters with higher efficiency models. Mr. Sheehan stated the gas usage for the pool is occurring in April and May when they are getting the pool up to a comfortable temperature. He stated a cover would help reduce energy costs during the heating period at the beginning of the season although there could be additional savings using it throughout the season. Mr. Fedorchak stated two gas heaters were recently replaced and Mr. Sheehan stated he did discuss these with Ms. Liney and had looked into a solar based pool heating system. He stated the capital costs are high but the energy is free once installed and these could be considered when the other two heaters are replaced. Mr. Youngson stated the report includes a number of options which could be considered in the future. Mr. Hack stated there are some disadvantages to solar covers because of their size particularly for the Olympic pool, and they would recommend that the Township consider it at least for the heating period, taking them off by opening day and then possibly using them in August. Mr. Hack stated for every degree heated by the sun it is estimated they could save \$240 in gas savings at today's gas rates.

Mr. Hack stated they have recommended cycling the heaters for the pool showers so that they are off overnight as well as use of hot water heater covers to minimize heat loss. He stated this could save up to \$1,000 per year.

There was discussion on potential lighting savings. He stated the maintenance garage in particular has much higher light than necessary as they can take advantage of natural light. He stated they are recommending use of photocells in the garage which will automate the process so that lights are not on when they are not really necessary. He stated they estimate this would result in a savings of \$700 per year. He also reviewed the use of occupancy sensors for the restrooms which could result in high savings for minimum cost.

Mr. Hack noted use of high performance lighting, adding the Township is already using this type of fixture in the main office and seeing savings currently. He would recommend increasing the number of these fixtures throughout the Township as there are over 300 lamps still using the less efficient lighting fixtures. He noted the possibility of using the new technology of LED as opposed to fluorescent tubes as LED fixtures have a higher lifespan and use less power. He noted the potential for use of LED lights for floodlights as well which have a high initial cost but are paid back in 4.5 years and would then continue savings for an additional eight years. He suggested initially using these in a parking lot or the pool complex and monitoring the savings. He discussed the anticipated electricity rate increase to take effect in 2011 which would result in even greater savings. Mr. Hack discussed enabling the sleep mode for the computers which could save \$2,268 per year.

There was discussion of potential for photovoltaics (solar energy) including the potential for roof-mounted and ground-mounted systems as well as parking lot canopies. Mr. Hack reviewed how solar energy works. He stated the energy obtained could be consumed or fed back into the utility grid. He stated total KWH used currently is 804,440 before any of the energy conservation methods are implemented and use of solar energy could result in savings of 81%; and this number would increase if the Township used the energy conservation methods proposed in the report. Pictures of the roof-mounted and ground-mounted systems and parking lot canopies were shown. He stated there was discussion about using a parking lot canopy over the Police Department parking lot which would provide heat protection which would help when the Police dogs are in the cars.

Mr. Sheehan stated there are financing options for the photovoltaics since they are expensive, and they would need a significant State grant. He stated there are tax exempt leases and power purchase agreements. He stated there is also the potential for an Energy Harvest Grant, and his firm has been successful in helping clients win nearly 20 grants over the past three to four years. He stated up to \$500,000 per Grant can be obtained and projects with matching funds tend to be preferred. He stated the State recognizes the fact

that an energy inventory has been done and increases the chances of obtaining this Grant. He stated the deadline for applying is June 16. Grants will be awarded in November with funds available in January. He noted the number of initiatives which the Township has taken recently is well known in the State, and this increases the potential for the Township to obtain a Grant.

Mr. Sheehan reviewed the benefits of having a energy master plan including lowering energy costs, creating a smaller carbon footprint, cleaner air and streams, a healthier community, higher property values and other societal benefits including benefits to the electrical transmission groups and taking stress off the grid during peak times.

Mr. Sheehan reviewed the tax exempt lease option which requires no capital expense. He stated this also does not depend on the investment tax credit. He stated this involves a fifteen year term and is maintained by the owner which would be the Township although a maintenance agreement can be arranged. He stated at the end of the fifteen year term it would be a \$1 purchase. He stated solar systems have been known to work for thirty-five years. He discussed Solar Renewable Energy Credits (SREC) which means that for every megawatt hour made with green technology, the utilities in Pennsylvania either have to buy it from you or make it themselves because of the renewable portfolio standard. He stated they have utility partners who are very interested in signing ten to fifteen year contracts. He stated another option is a Power Purchase Agreement which is a long-term agreement between the power provider (owner of the system) and the power purchaser which would be the Township which would be the host of the system. He stated with this system the owner would agree to produce energy for the next twenty years, and the Township would agree to buy it and it would be on par or lower than what is being paid now, and it would not increase the way utility rates may increase. He stated at the end of the twenty years, the Township could buy the system for 20% of the original cost or fair market value whichever is higher. He stated fair market value could be high. He stated this option provides a predictable cost of electricity since the rates are fixed for the entire twenty year term or are rising at a fixed rate and there are no on-going maintenance costs.

Mr. Stainthorpe asked the cost of a roof-mounted system for the Township Building, and Mr. Sheehan estimated this could cost approximately \$280,000. Mr. Stainthorpe stated if they agreed to proceed with the Power Purchase Agreement, the provider would pay for this cost and the Township would pay for the electricity, and Mr. Sheehan agreed. Mr. Stainthorpe asked who they would lease the system from if they went with that option and who would pay for the installation. Mr. Sheehan stated the lease company provides construction loans and the loans are paid back over time. The Township would pay a lease payment over time that would be commensurate with the payback over time at some rate of return. The Township would also own the RECs. Mr. Stainthorpe stated this could be a lucrative proposition. Mr. Sheehan stated they are building a 3 megawatt

system in Falls Township and Exelon is buying the RECs. He stated in 2009 and 2010 there is not a mandated compliance for the RECs so there is some risk although it is possible to bank them for up to two years. In 2011, PECO Energy has a REC requirement and he assumes RECs would be in the range of at least \$250 to \$300 and could go higher when the REC requirements rise in the future. Mr. Stainthorpe asked if Suntechnics trades and brokers RECs, and Mr. Sheehan stated they are an aggregator with PJM, the grid regional transmission organization. He stated while this is not the business Suntechnics is in, they would recommend or work with brokers. Mr. Stainthorpe asked if Pennsylvania RECs can be traded anyplace in the United States, and Mr. Sheehan stated they can be traded in the PJM territory until there is a National portfolio standard at which time the rules will change and the market will open up.

Mr. Stainthorpe asked how much of the money required to install a roof-mounted system on the Township Building would be eligible for an Energy Harvest Grant, and Mr. Sheehan stated approximately half would be eligible.

Mr. Santarsiero asked the cost for everything they have described; and Mr. Sheehan stated he feels it would be approximately \$4.5 million.

Mr. Stainthorpe stated he does not feel the parking canopies or ground-mounted systems would be compatible with the aesthetics of Lower Makefield.

Mr. Youngson noted Page 35 of the report which indicates that all the roof-mounted systems would cost approximately \$850,000 and would cover approximately 30% of the energy use. He stated the Township is well positioned with the EAC doing work already, and would be high on the list for obtaining an Energy Harvest Grant.

Mr. Stainthorpe stated there is a tight window of time and asked if there is time to make a decision and get the Grant Application submitted in time for this year, and Mr. Sheehan stated he feels they do have time. Mr. Stainthorpe stated a number of the Board members do have connections and could work on the political component; and he feels if they can get the technical component, they should move forward with this project. Mr. Stainthorpe asked if the company from whom they would lease the equipment would get the tax credit, and Mr. Sheehan stated they would. Mr. Sheehan stated within a week he hopes to have information on the tax exempt leases, and he can show the Township what the best choice would be. He stated they can open up an Energy Harvest Application on line, and his company could begin putting in the technical information while the Township puts in the Administrative portion. He stated if they get to a point where the Township decides they do not want to proceed, the Application would not have to be submitted. He stated if the Grant were to be awarded, the Township does not have to accept it. Mr. Santarsiero stated they need to consider where the Township would obtain their portion of the matching funds needed. Mr. Youngson stated there would be no aesthetic issues with the roof-mounted systems.

Mr. Stainthorpe stated because things are changing so quickly, he does have some concern about committing to something for twenty years. Mr. Sheehan stated photovoltaic systems are very predictable so that you can predict how much they will produce very accurately, and there are systems still working that are thirty-five years old. He stated they are also currently exploring the capacity value with Exelon.

Mr. Santarsiero stated they must determine how they can come up with the money needed for the Grant match in the short term. Mr. Caiola stated he feels they should schedule another meeting between now and the next regularly-scheduled meeting to consider this further. He suggested that once they get the additional information from Mr. Sheehan, they re-assess when they can have another meeting. Mr. Stainthorpe stated they should also be proceeding with the energy-saving recommendations.

Mr. Sheehan stated they will schedule a call with a representative in Harrisburg so they know the project is coming and see if they will offer guidance as to what they would be looking for.

Mr. Dick D'Avino, Yale Drive, asked how effective solar power systems are for this area given the number of days of sunshine. Mr. Youngson stated they have many years of data on many photovoltaic installations throughout the Northeast. He stated in Pennsylvania there are approximately 3 ½ to 4 ½ sun hours per day on average which equals 200 sun days a year. Mr. D'Avino stated it appears that the installations are fixed mount and they are not changing the angle between summer and winter. Mr. Youngson stated they will use optimal design angles which are close to 30 degrees to 25 degrees for this part of the Country and the system will provide approximately 1250 kilowatt hours of electricity for each 1 kilowatt installed.

#### TABLING DISCUSSION OF NO SMOKING INITIATIVE IN TOWNSHIP PARKS

It was noted the Board is still waiting for some additional information on this matter.

Ms. Liz Chemecki, Project Coordinator for Pennsbury Lift a Community Prevention Coalition, stated they are currently working on a tobacco free-recreational petition. They would like to see tobacco-free policies for youth recreational facilities. She stated they have a banner that they will be putting up at the upcoming May Midnight Madness in Macclesfield Park. She provided information to the Board this evening.

Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried to table discussion of no smoking initiative in Township parks.

#### APPROVE AWARD OF CONTRACT FOR 2008 ROAD PAVING PROGRAM

Mr. Maloney moved and Mr. Santarsiero seconded to award the Contract for 2008 road paving program to Miller & Sons Paving, Inc. in the amount of \$318,375.

Mr. Santarsiero stated this was the lowest bidder and they were also compliant with the Responsible Contractor Ordinance.

Mr. Maloney asked the Budgeted amount, and Mr. Fedorchak stated it was approximately \$300,000. Mr. Maloney noted the Alternate Bid portion, and Mr. Majewski stated since this was beyond the amount of money available, it was felt this could be deferred until next year.

Motion carried unanimously.

#### ZONING HEARING BOARD MATTERS

With regard to the Shadybrook Investors, Stony Hill and Township Line Roads, Variance request to permit encroachment into manmade slopes in the vicinity of the existing drainage basin for the purpose of retrofitting and upgrading the existing detention facilities, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the David and Janet Goodwin, Variance request to permit construction of a single-family home on property located on Pine Grove Road where the Applicants are challenging the validity of the Ordinance and Appealing the determination of the Code Enforcement Officer, Mr. Santarsiero moved, Mr. Maloney seconded and it was unanimously carried to oppose the Application.

With regard to the Joyce and Robert Daly 1539 Revere Road, Variance request to permit construction of a shed resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

#### SUPERVISORS REPORTS

Mr. Caiola noted the Global Warming Conference will be held at the Township Building this Saturday morning beginning at 8:00 a.m. until Noon. He stated all Supervisors are welcome to attend and make brief comments if they choose. Mr. Caiola also noted the Bucks County Performing Arts Council will make a presentation before the Board in June to provide an update on their program.

Mr. Maloney stated letters were sent out to all residents that T-Mobile withdrew their Application before the Zoning Hearing Board. He stated the Cara Mia property was discussed and the Zoning Hearing Board requested a brief from Mr. VanLuvanee to which the Township will respond ten days later.

Mr. Smith noted the upcoming May Midnight Madness in Macclesfield scheduled for May 31 and added Applications for the Camp-Out are still being accepted.

#### DISCUSSION OF SCENIC BYWAYS PROGRAM

Mr. Caiola noted a number of questions arose when this matter was last discussed and Mr. Truelove was asked to look into this matter further. Mr. Truelove stated he did review the Application, and he does have questions about the funding requirements to the Township. He has contacted a number of Municipalities along the proposed Scenic Byways area to get their input. He would like to discuss this at the next meeting assuming he is able to get additional information. He stated there was also concern about how much oversight the Township may have for areas off the road.

#### YARDLEY-MAKEFIELD EMERGENCY UNIT DISCUSSION

Chief Coluzzi stated for several weeks he has been overseeing the Administration and operation of the Yardley-Makefield Emergency Unit and will shortly be entering into an Agreement with their Board of Directors to provide management and consulting services for the Unit, and he wanted to get Board's approval on this.

Mr. Stainthorpe moved, Mr. Santarsiero seconded and it was unanimously carried to approve the private Management Consulting Agreement with the Yardley-Makefield Emergency Unit Board of Directors and Chief Coluzzi.

#### DISCUSSION OF BOARD VACANCIES

Mr. Caiola noted the number of openings on Township Boards and Commissions which are listed on the Cable Channel and the Township Website.

There being no further business, Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried to adjourn the meeting at 10:40 p.m.

Respectfully Submitted,

Matt Maloney, Secretary