

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 3, 2008

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 3, 2008. Chairman Caiola called the meeting to order at 7:30 p.m. Mr. Maloney called the roll. Mr. Caiola stated that the Board will not be discussing the Open Space Referendum this evening. Mr. Smith announced that David Truelove was selected as the Big Brother of the Year for 2008.

Those present:

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

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

COMMUNITY PRIDE DAY FOLLOW-UP DISCUSSION

Ms. Donna Liney, Ms. Rebecca Cecchine, Ms. Sue Curran, and Ms. Andrea Curran were present. Mr. Smith thanked the parents for allowing their children to attend this year's Community Pride Day. He thanked Ms. Sue Curran and Ms. Andrea Curran for handling the Battle of the Bands. He noted the Car Show which was new this year had over 200 cars on display. He thanked those involved with running the 3 x 3 Basketball Competition. He also thanked all the Township employees who helped with the events including the Fire Department and the Police Department. He reported on the successful pet fair. He stated the 5K Race was very successful with over 200 runners participating. Mr. Smith thanked CMX for being the sponsor of the fireworks. He also thanked Shady Brook Farm for supplying the pies for the pie-eating contest. He thanked the Special Events Committee for all of their work on this event and Ms. Cecchine for all the work she did this year. He also noted the great response to the Talent Show. He thanked Ms. Liney for tying the whole event together.

Ms. Cecchine stated they would like to have three new events for next year's Community Pride Day including a bike race, a baby contest, and a soap box derby.

Ms. Liney thanked the Board of Supervisors and the Township Manager for having a great vision and for their support of this event. She stated she feels they will be below the Budgeted expenditures this year and will be above on Budgeted revenues.

Ms. Andrea Curran thanked the Board of Supervisors for allowing them to have the Battle of the Bands for the last three years and for allowing them to have the Scholarship this year.

Mr. Smith thanked YMS and the other groups who raised funds this year for various charitable causes.

PUBLIC COMMENT

Mr. Edward Sites, 381 N. Fieldstone Court, stated he feels there is a pedestrian safety issue in the Kohl's parking lot in the area opposite the coffee shop where there is no pedestrian crossing. Mr. Stainthorpe stated he feels this is a very poorly-designed parking lot. He stated while there is limited action that the Township can take as it is private property, he asked the Chief if there is something that could be done to prod the owners to make some changes. Chief Coluzzi stated he and the Township Manager are in the process of coming up with different designs and safety features, and they will be writing a letter to the Manager of the Complex. Mr. Caiola stated there is also a problem with people parking in the "no parking" areas. Mr. Smith asked all citizens who have concerns to come to a public meeting to present their issues.

Ms. Tara Bane and Ms. Ellen Saracini were present. Ms. Bane invited all in the Township to attend the 9/11 remembrance to be held on September 11 starting at 8:30 a.m. and continuing throughout the day. Ms. Saracini reviewed the events which will take place that day. Mr. Maloney asked that they put something on the Township Cable Channel and Website, and Mr. Fedorchak stated there is a link to the Garden of Reflection page on the Township Website. Later in the evening Ms. Saracini announced that the 5K Race/Walk will be held on Sunday September 14 at the Garden of Reflection.

Mr. Barry Wood, 20 Glen Drive, stated he understands that work will begin on dredging the Canal, widening Black Rock Road, and construction of the culvert. He asked when work will begin, when Black Rock Road will be blocked off, and for what duration. Mr. Majewski stated he had a discussion today with the contractor, and they plan to close the road on September 8 and anticipate the work will take approximately three months. He reviewed the detour route to be established. He stated the Canal Towpath will be shut down between Lock 5 and Ferry Road during the time that they are doing the dredging. He stated the detour signs will be in accordance with PennDOT regulations.

Mr. Wood stated that approximately 2,500 residents in the area will have their major access cut off for at least three months. He stated he is concerned that they could be isolated if a flood were to occur. He asked that the residents be notified as to when the road will be cut off. He stated RAFT would be willing to send out e-mails and added they did pass out flyers on Community Pride Day notifying the residents that this is going to occur. He stated they would like to have patrols of this area 24/7. He stated they must consider access for Township emergency services and asked if they will have to rely on Yardley Borough or Morrisville for emergency services. He asked if the Pennsbury School District and the parents have been notified that there may have to be changes to the bus routes and schedules. He stated Morrisville and Yardley Borough should also be notified that there may be increased traffic in their areas. He also stated they should notify the sports organizations that use Macclesfield Park. He stated there are 1500 registered voters in the area who vote at Makefield School, and he feels it will take ten to fifteen minutes more for them to get to the polls. He stated he feels they should notify the Bucks County Board of Elections about the potential for delays unless they can provide an alternative polling place. He stated he feels they should encourage absentee voting that could accelerate the process.

Mr. Scott Burgess, 15 Glen Drive, Chairman of RAFT, stated the flyer that they handed out at Community Pride Day made it clear that they were happy that the work was being started. He stated he will e-mail RAFT members asking that they help deliver flyers to their neighbors about the road closing. He stated during times of flooding River Road is often shut down before there is a problem at Black Rock Road, and the emergency team will have to communicate this as early as possible to the residents if they need to exit the community. Mr. Burgess stated he and the Chief have discussed getting additional contact information from Township residents, and he does have some additional contact information to provide to the Chief this evening. Mr. Burgess stated he was also present at Community Pride Day as a member of the Woodside Church where they handed out invitations to Woodside's Arise function to be held on Saturday. He stated due to the anticipated inclement weather, this event may have to be rescheduled to Sunday if there is bad weather, and Woodside will post information on this on their Website.

Mr. Jack Wiseman, 1713 Polo Run Drive stated he and his wife have moved into the area and rented an apartment while they are looking for a home. He stated on the Township Website he found an Application for a Moving Permit which stated anyone moving in or out must fill out the Permit; however, in checking the Township Code it indicated this did not apply to "transients." He asked for the definition of a "transient" since if you are required to apply for the Permit, there is a cost of \$15. He stated when they signed the Lease for their apartment, this Permit was not in the package and he questions if this is a loss of revenue for the Township for all the people who rent apartments who have not filled out the Moving Permit. Mr. Fedorchak stated he does not have the definition for "transient" at this time. He stated anyone moving in or out of the community should file a

Moving Permit with the Township for public safety purposes and for per Capita Tax purposes. Mr. Wiseman asked if Polo Run is obligated for the Registration Fee since they are the landlord. Mr. Fedorchak stated they are not obligated for the Fee, but they do supply the Township with a list of their tenants on an annual basis. He stated the individual would be responsible for filling out the Permit.

Mr. Harold Koopersmith, 612 B Wren Song Road, expressed his concern with the problems facing the American Middle Class. He stated he followed the process the Board of Supervisors undertook when they put the sewer issue out to public discussion. He asked how they could take this process and transfer it to the State and Federal Government so that the Country can be put back on track.

APPROVAL OF AUGUST 4 AND AUGUST 18, 2008 WARRANT LISTS AND JULY, 2008 PAYROLL

Mr. Maloney moved, Mr. Santarsiero seconded and it was unanimously carried to approve the August 4, 2008 and August 18, 2008 Warrant Lists and July, 2008 Payroll as attached to the Minutes.

AWARD CONTRACT FOR CONSTRUCTION OF SOFTBALL DIAMOND AT MEMORIAL PARK

Mr. Majewski stated they received six bids for construction of a softball field at Memorial Park and the bids exceeded the \$80,000 which had been Budgeted for the project; however in discussions with the Township staff and the low bidder, they were able to bring the project in under Budget by eliminating Items #6 and #7 from the bid which were for fencing. They would recommend awarding the bid for Items #1 through #5 to All Seasons Landscaping.

Mr. Maloney moved, Mr. Santarsiero seconded and it was unanimously carried to award the contract to All Seasons Landscaping Company, Inc. in the amount of \$71,751.50 as outlined by Mr. Majewski.

DISCUSSION AND TABLING OF PROPOSALS TO UPDATE THE LOWER MAKEFIELD TOWNSHIP OPEN SPACE PLAN

Mr. Fedorchak stated in order to establish the Township's eligibility for the \$824,600 County Open Space Grant, the Township must first update the Open Space Plan which was prepared and filed with the County in 1998. He solicited proposals from three different planning agencies and two came back expressing interest. He stated one was

from the Heritage Conservancy, with whom the Township has done a great deal of work, and their proposal was in the amount of \$10,000. The other proposal was from the Bucks County Planning Commission, and their proposal was for \$5,000. Mr. Fedorchak stated the Bucks County Planning Commission had prepared the 1998 Open Space Plan so he assumes this is why there is a cost difference. He would recommend that the Board award the contract to the Bucks County Planning Commission for \$5,000, adding that this amount would be covered as part of the Grant money to be received from the County.

Mr. Santarsiero asked how much has changed other than the development which has taken place in the last ten years, which would require the Township to obtain the services of a consultant. He stated within the last ten years they have created an Environmental Advisory Council which has done a lot of work on open space including the Open Space Inventory which they are now considering as part of the Referendum that will be on the ballot in November. He asked if this updating work could be undertaken by the EAC at no cost to the Township. Mr. Fedorchak stated this would be possible if the EAC were willing to do it. He stated a key component of the Revised Open Space Plan is to identify and inventory open space lots that are currently available for acquisition. He stated the EAC has already completed this task, and he thanked Mr. Bray and Mr. Goll who examined thousands of lots throughout the Township and presented their report to the Board of Supervisors. Mr. Fedorchak stated there are a number of other elements of the Open Space Plan that have to be updated including identifying vulnerable open space resources, and items similar to this. He stated they also have to conduct a series of Public Hearings involving the stakeholders. He stated he feels the EAC could do this work if they were willing to devote the time.

Mr. Santarsiero suggested the Board table the proposals for the time being, and in the meantime ask the EAC if they would be willing to take on this project in a relatively quick manner. He stated if they could avoid the \$5,000 from being deducted from whatever award the Township will receive from the County, he feels this is something they should consider.

Mr. Stainthorpe asked about the size of the report, and Mr. Fedorchak stated he anticipates it would be approximately twenty to twenty-five pages since it is largely an update of a document that was prepared ten years ago and a lot of the work has already been done and not that much has changed in the last ten years. He stated he feels they have ample time to consider this. Mr. Stainthorpe stated he agrees with Mr. Santarsiero that they should ask the EAC if they can do this; and if they feel this is a project that they cannot take on, he would recommend awarding the bid to the Bucks County Planning Commission.

Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried to table the matter.

ERIN DEVELOPMENT – PRESENTATION OF INFORMAL SKETCH PLAN FOR 917 BIG OAK ROAD

Mr. John Baionno, engineer, was present and stated the property is located at 917 Big Oak Road and was formerly known as the Ferri Tract. It is located across from the Charles Boehm School, and is an 18 acre site. He stated the project was previously before the Board in 2005/2006. He stated the developer at that time pulled out, and the property is now under the control of Erin Development. He stated they would like to proceed with a concept similar to that which had previously been proposed.

Mr. Baionno stated they have prepared the Environmental Resource and Site Analysis map which he showed this evening. He noted the area of wetlands along the frontage of Big Oak Road and two fingers of wetlands and water courses that run north to south up the middle of the site and discharge into the wetlands. He stated the site had previously been a nursery. He stated there were greenhouses on the site which have been dismantled, but the concrete footings and pads are still there. There is one existing home. He stated they have done a site walk with the Environmental Advisory Council and also met with the Township Planning Commission. He stated the Township boundary is their southern boundary with Falls Township below the site.

Mr. Baionno stated the site drains south to north into the wetlands which discharge into the storm sewer in Big Oak Road and ultimately across to the creek on the Charles Boehm property. They propose one cul-de-sac for the fifteen total lots with fourteen new houses. He stated they propose to utilize the Low Impact Development Ordinance so that there are changes from the prior Plan. He stated the cul-de-sac length has been somewhat shortened. Buffers have increased from 50' to 75'. He stated the LID Ordinance does allow for buffering averaging, and he noted on the Plan where they are reducing the buffer and other areas where they are increasing the buffer. By doing this, they have been able to shorten the cul-de-sac. He stated the lot lay out is basically the same although in some areas, the lots are slightly smaller to provide for more buffer area. He stated on the prior proposal, the houses were side entry with wider lots, and now the lots are mainly front entry and are somewhat narrower. He stated the LID Ordinance also reduced the front yard setbacks which also reduced the driveway impervious. This also increased the rear setback lines and provided for a larger rear yard.

Mr. Baionno stated the cartway itself is also narrower. He stated they are currently proposing a 26' wide cartway but will accept suggestions from the Township on this. He stated the EAC recommended going narrower, and Mr. Baionno stated he does not feel there would be any traffic safety issues if they went down to 24'. Mr. Baionno stated since there are homes on only one side of the street, they are only proposing sidewalk on that one side. Mr. Baionno stated there is a stub road to Hilltop, and they are proposing a sidewalk as an interconnect for access to the Schools in Falls and Lower Makefield.

Mr. Baionno stated they will require a Waiver for the length of the cul-de-sac which is 1600 feet long for the fifteen lots. He stated they are proposing an emergency-only access through to Hilltop. He noted the location where the prior emergency access was to be located off-site through an easement on adjacent property that would also have involved a sanitary sewer easement. He stated they have looked at the sanitary sewer issue and determined that they can extend the sanitary sewer across the frontage which will allow gravity sewer for the entire project and not require the sanitary sewer to come through an easement.

Mr. Baionno stated the builder has not determined the house style yet, and the houses shown on the Plan are schematic only. He stated they are proposing to build a variety of homes. Mr. Caiola asked the approximate size and price of the homes. Mr. Baionno stated he did not know the anticipated price, but the lot sizes range from 15,000 square feet to 34,000 square feet. He stated the footprint would be 2,000 square feet to 3,000 square feet. He stated they are in the process of determining what the market may want.

Mr. Baionno stated they recognize that stormwater will be a key issue. He stated they propose a series of stormwater management basins around the site and incorporate the LID Ordinance and requirements of the Delaware River Watershed Ordinance. He stated they recognize that there were concerns expressed by the Falls Township residents, and the prior engineer from his office had worked with Mr. Majewski as to a hydrology report and Mr. Majewski was comfortable with the testing that had been done at that time. All of this will be reviewed again as the project goes forward. He stated they propose very little impact to the woodlands. He stated there is an existing farm path which is where they propose to construct their road. All disturbance to the woodlands will be within the amount allowed under the Ordinance. He stated the basins will discharge to the drainage ditches or the wetlands. He stated they will require a Variance from the Ordinance to discharge into the wetlands buffers. He stated they want to feed the water courses and keep them viable.

Mr. Stainthorpe stated he is concerned with the distance and time that will be added if the emergency services have to go through Falls to access the development if the main access is blocked. He asked if there was a way they could consider an emergency access on Big Oak Road. Mr. Baionno stated they could consider the off-site emergency access that was shown on the prior plan, although he is not sure that the property owners would be agreeable to providing this now that it does not involve access to sewer and water for those lot owners in exchange for allowing the developer to have the easement. He stated the other option would be to keep it on the developer's property but they would have to go through the woodlands and the wetlands buffer, and they felt maintaining these was more acceptable.

Mr. Stainthorpe stated he recalls that when this was previously before the Board, they were almost at Final approval and there were a few stormwater issues, and he would like

to make sure that whatever is done does not negatively impact the existing residences.
Mr. Baionno agreed

Mr. Santarsiero asked if there was a conclusion on the hydrology, and asked if Mr. Majewski's office has reviewed the report. Mr. Baionno stated they had completed the report and submitted it to Mr. Majewski's office. He stated they had dug several test pits on the site, and it was concluded that 60' away from the basin which would be in the middle of the road was where the limit of effect would be on groundwater and there would be no effect off site on the groundwater. Mr. Santarsiero stated he wants to make sure that the developer is aware this is still a concern and that there is no negative impact to the existing residents in Lower Makefield or Falls Township. Mr. Majewski stated his office did review the mounding analysis to determine the impact of putting water into a detention basin and building houses in close proximity to other properties and how the weight of water could possibly impact houses off site; and the determination was that it would not have an impact on the residences. He stated an advantage of the Plan now being presented is that by reducing the width of the roads, shortening the cul-de-sac, and reducing the driveway widths, they will save approximately one and a half acres of impervious surface area over the prior lay out which results in less stormwater to be handled by the project. Mr. Baionno stated he feels this shows that the LID Ordinance is working.

Mr. Caiola asked if they have reached out to Falls Township yet, and Mr. Baionno stated they have not at this point.

Mr. Majewski stated he feels that there are a few things that could still be done to help the Plan including shortening the cul-de-sac even more by making the last lot a flag lot if they do not construct an emergency access out to Big Oak Road. He stated they could also shift the roadway out toward the exterior property boundaries and further away from the wetlands which may provide more room within the area between the road and the woods in the center of the project to construct some stormwater basins without impacting the wetlands buffers. Mr. Caiola asked how this would impact the lots if this were done; and Mr. Baionno stated it may impact the style of house which they could build, and he stated he could discuss this with the developer.

Mr. Majewski stated the Planning Commission had expressed concern about the stormwater drainage easement in the rear of Lots #3 through #8 which would use up the back yard and the residents would not be able to install pools, fences, etc.; and he suggested that they look into this again and possibly redo the drainage design or reduce the width of the easement to a 20' width which would be sufficient to maintain access for the storm sewer easements. Mr. Baionno agreed to look into this.

Mr. Maloney stated he feels street lighting should be considered in relation to what is in the surrounding neighborhoods, and Mr. Baionno stated he will take direction from the Township on this. He stated he feels they would want to have a light at the entrance to the development. Mr. Maloney asked about the means of egress, and Mr. Baionno stated they are proposing a stop sign with shouldering. Mr. Maloney stated he feels a 2,000 square foot to 3,000 square foot footprint seems high, and Mr. Baionno stated he meant that it would be 2,000 square feet to 3,000 square feet of living space, and Mr. Maloney stated he feels that this would be more appropriate.

Mr. Baionno stated they received a letter from the EAC and found all their comments to be worthwhile. He stated the developer would like direction on the width of the cartway, and Mr. Maloney stated he would like to hear from the emergency services people whether or not they feel 24' would be sufficient, and Mr. Baionno agreed to contact them.

Mr. Norm Sutton, 28 Hilltop Drive, Falls Township, showed the location of his property on the Plan. He stated Hilltop Drive is vary narrow and if two cars park parallel on opposite sides of the street, there is no way that they could get an emergency vehicle through this area. It was agreed that the developer should look into this. Mr. Sutton stated the homes off the lower end have water flowing over the sidewalks when there are heavy rains. Mr. Santarsiero stated they had previously discussed whether the soils were such that they could accommodate the absorption which is why they had the study done. Mr. Baionno stated the study also included infiltration rates, and they will do more of these and work with Mr. Majewski further on this. He stated the Township boundary is a high point and very little water flows from their site onto the off-site properties. He stated by putting the road in the location shown, they are cutting it off even further and directing it to their basins and the on-site wetlands and water courses. Mr. Santarsiero stated before any Plans are approved, they will make certain that they do not make the situation worse and will in fact try to ameliorate the situation in any way they can, and Mr. Baionno stated they agree and recognize they cannot have a negative impact on the surrounding residences.

Ms. Karen Gates, 955 and 936 Big Oak Road, which is beside the development and across the street, was present and stated the problem is not when it is raining, but rather as the ground soaks up the rain water, within the following week as the ground drains, it is coming out and coming down Hilltop. Mr. Santarsiero stated this is why they wanted the hydrology report. Ms. Gates also stated this is a different sewer system plan than was previously proposed. She stated in the past it was noted that the three houses across the street and her farm were going to be provided with the ability to tie into the sewer system. Mr. Baionno stated nothing has changed in this regard other than the fact that they now propose to do away with the grinder pumps previously proposed; and they will provide a gravity sanitary sewer to the project boundary which will allow the houses across the street to tie in.

Mr. Mark Sanford, 879 Big Oak Road, stated his property is on the east side of the proposed development. He stated they had previously discussed drainage that would come down toward the front of his property that runs off the field, and he showed these locations on the Plan. He asked that they be careful of water running through his driveway. He stated he would prefer not having an easement through his property, and stated he does not need the public sewers as he has a functioning private system.

Ms. Virginia Torbert stated she is on the Citizens Traffic Commission. She asked about the location of Road A as it relates to the entrances to Charles Boehm, and Mr. Baionno stated the proposed entry road to their development is 175' to the west of the exit drive of Charles Boehm. Ms. Torbert stated with regard to the cartway she would suggest that they not make it too narrow as there will be children coming in from Falls and Lower Makefield using this road to access the schools. Ms. Torbert also noted an area on the Plan which she feels would be appropriate for a crosswalk across Big Oak Road, and Mr. Baionno agreed to look into this.

Ms. Susan Plaisted, 50 Howie Drive, stated the water currently flows on her property from this property. She stated she is very concerned with what this will do to the water situation which is already bad. She stated the only time the area is dry is when it is very hot. She stated she would like to see a copy of the hydrology report. She is also concerned with car headlights impacting her property.

Mr. Sanford stated the children do go to the crosswalk near to where the sidewalk begins so he does not feel they should make any changes.

A gentleman residing at 62 Howie Drive asked if they propose an access road or an emergency road at Hilltop as he feels people will use it as a cut through. Mr. Santarsiero stated this is only a Sketch Plan and more details will have to be worked out before approval. He stated they still need to determine if this is the correct area for the emergency access; but if it is determined to have the emergency access at this location it would most likely be a system of concrete pads that have soil put between them that go from one road to the other and grass grows up so that if you look at it, you would not know that you could drive a car over it. He stated he has one in his neighborhood, and there is a chain on either side which the emergency personnel remove if they need to get through. He stated it would not be used by regular vehicles to get from one place to another. He stated they want to make sure that this is the right place to have this and whether it will afford the Township emergency vehicles sufficient time to get into the development if the main road is otherwise blocked. Mr. Santarsiero stated regardless of where it is located, it will not be the type of access that would be open to other vehicles coming through.

Mr. Scott Burgess, 15 Glen Drive, stated in the groups he is involved with one of the main concerns they have is development in the Delaware River basin; and while this may

be an improvement over the prior plan, he still feels they are taking an area which is basically a wetlands and building around it. He stated they must consider water all over the area and not just in the area down by the River. Mr. Caiola stated the impetus of the LID Ordinance was to minimize the impact of development. He stated they will continue to work through this process. He stated this is also one of the reasons why they are considering purchasing more open space. Mr. Santarsiero stated the reason they approved the LID Ordinance was because of the concerns cited by Mr. Burgess and that there is a cumulative effect with regard to stormwater run off. He stated they will continue to scrutinize the project as it goes forward.

Mr. Caiola thanked Mr. Baionno for his presentation and asked that he take into consideration the concerns expressed this evening and the information provided by the EAC.

SIGNING OF MYLARS FOR TROILO TRACT AND BROOKSHIRE ESTATES PHASE I

Mylars were signed following the meeting.

ZONING HEARING BOARD MATTERS

With regard to the Leonard and Tammy Herman, 15 E. School Lane, Variance request to construct an addition resulting in encroachment into special setbacks, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Joseph Scisly and Sharon Cross, 795 River Road, Variance requests to construct a front porch within the front yard setback and within the 100 year flood plain and to permit construction of a garage, it was agreed that the solicitor should participate to insure that flooding issues are minimized.

With regard to the David Legg, 1422 Ridgewood Lane, Variance request to permit construction of a fence within an easement, it was agreed that the solicitor should participate to insure that access is permitted.

SUPERVISORS' REPORTS

Mr. Stainthorpe stated the new handicap access doors have been installed in the Township Building.

Mr. Smith stated the Sewer Authority will want to come before the Board of Supervisors within the next month to make a presentation.

Mr. Maloney stated the Frankford Hospital Hearing was commenced before the Zoning Hearing Board last week, and will be continued to September 23. He stated the Comcast matter is scheduled to be heard on October 2. He stated the Golf Course has been having Friday evening deck party events which have met with considerable success.

Mr. Caiola stated at the Economic Development meeting they had an update from Mr. Troilo on Edgewood Village. It was noted that given the current economic climate, it is a difficult time to move forward on this proposal. They are also in the process of putting together a Business Meet and Greet in Lower Makefield at some point in the future. He stated the EAC will be considering the Green Building discussion and trash hauling.

APPROVAL OF 2008 WINTER TRAFFIC SERVICES SUPPLEMENTAL AGREEMENT WITH PENNDOT

Mr. Fedorchak stated Mr. Hoffmeister, Director of Public Works, has recommended making changes to the Winter Services Agreement with PennDOT. Mr. Fedorchak stated that currently the Township is under contract to snow plow approximately nineteen miles of State highway. Mr. Hoffmeister is asking that this be reduced to approximately eight miles. He stated one reason for this is that the less time the Township has to spend on the State highways, the more time they can spend in the residential subdivisions, which he feels will result in fewer complaints. He also stated the cost to the Township to provide these services is considerable. He stated they calculated that in 2007 it cost the Township approximately \$49,000 to snow plow the State highways, but they only received \$33,000 from the State. He stated fuel costs have more than doubled and salt and labor costs have gone up as well, and the amount that the State has increased the Contract by on an annual basis has not kept pace with these increases. Mr. Fedorchak stated he would support Mr. Hoffmeister's recommendation to make these changes for 2008. He stated he did advise PennDOT approximately one year ago that they were considering these changes for 2008.

Mr. Smith asked if PennDOT can compel the Township to continue to do what they have been doing, and Mr. Fedorchak stated they cannot. Mr. Smith stated while he does not feel there will be fewer complaints, he feels the economies are significant, and he would be in favor of following Mr. Hoffmeister's advice.

Mr. Stainthorpe noted the report received by the Board which shows some of the miles on the roads in red and some in black, and Mr. Fedorchak stated this shows which portions of the roads will be retained by the Township and which will be given back to PennDOT to snowplow. Mr. Stainthorpe noted these roads are main thoroughfares in the Township, and he is concerned if they can count on PennDOT to clear them in a timely manner. Mr. Santarsiero agreed. Mr. Fedorchak stated they do want the roads plowed in a timely fashion which is why he advised PennDOT one year ago that they were considering this. He stated they have been in contact with PennDOT over the last month and advised them that if they had any concerns and felt that they could not cover the roads, that the Township would be willing to make changes in the revisions. He stated his understanding at this point is that PennDOT feels that they can do it with their contractors.

Mr. Smith asked if there is something they can do to modify the reimbursement factor, and Mr. Fedorchak stated the amount they reimburse the Township is predicated on the miles of road that they are plowing and they receive a certain amount per mile based on roadway classification. He stated these are fixed State-wide figures, and there is no opportunity for them to sit down with Lower Makefield and customize the numbers.

Mr. Maloney asked the logic behind retaining the 7.84 miles; and Mr. Fedorchak stated these roads fit into the Township's current routing. He stated most of the roads eliminated were four-lane highways which tend to be problematic and time consuming.

Mr. Caiola stated he feels they should do this on a trial basis. Mr. Fedorchak stated if there was a call received by the Chief that they had a problem with one of the roads, they would get out and plow it whether or not they are being reimbursed. Mr. Maloney asked that they keep track of this so there is numerical evidence on whether or not this was a good decision, and Mr. Fedorchak agreed to do so.

Mr. Maloney moved and Mr. Santarsiero seconded to approve the modified Winter Traffic Service Agreement as stipulated.

Mr. Zachary Rubin, 1661 Covington Road, asked of the seventeen miles that the Township is currently plowing that are State highways, do the Lower Makefield Public Works trucks do all the plowing, and Mr. Fedorchak stated they are Lower Makefield trucks and employees. Mr. Rubin stated he understands that some of the other Municipally-owned roads are sub-contracted out, and Mr. Fedorchak agreed. Mr. Rubin stated if this revision were approved, it is possible that the Township will not be sub-contracting out local roads, and the Public Works personnel will be doing those roads and PennDOT could independently contract with the contractors who are released from Township obligations to do the State roads. Mr. Fedorchak stated this is a possibility although he cannot speak to whether or not those sub-contractors would have the type of equipment necessary to use on four-lane highways.

Ms. Torbert asked what roads in the Township are currently being plowed by PennDOT; and while Mr. Fedorchak stated there are some, he does not have an exact list at this time. He noted specifically Oxford Valley Road and stated he does feel they do a good job with the roads they do plow. Mr. Smith stated he would like to know the experience of other Townships where a similar process has been undertaken.

Ms. Torbert stated she feels they may be discriminating against the older residents since they tend to live on the State roads while newer residents tend to live in developments. Mr. Smith asked for a list of the roads they are proposing to give back; and Mr. Fedorchak stated they are proposing to turn back Heacock Road, Mirror Lake Road from Langhorne-Yardley to Drill Road and from Drill Road to Stapler, a portion of Newtown-Yardley from Lindenhurst to Mirror Lake, the entire stretch of Lindenhurst, Big Oak Road from Old Oxford Valley Road to West Trenton Avenue, and Yardley-Morrisville Road from Pine Grove to the Yardley Borough line.

Mr. Caiola stated he feels the Township will hold PennDOT accountable; and if they do not do it, the Township will take on doing the job. He stated he does feel they need to try this since they cannot keep spending more than they are getting from the State for these roads. Mr. Fedorchak stated while they cannot guarantee PennDOT's performance, he believes that they do have enough contractors in the area that they can re-assign to these jobs. Ms. Torbert stated she feels the Township should be given assurances that they will do this in as timely a manner as has been done by the Township in the past.

Mr. Smith asked if they are under any time constraints as he would like to know the experience of other Townships who have done this, and Mr. Fedorchak stated they must make a decision this evening as to whether or not they want to proceed.

Motion carried with Mr. Smith opposed.

APPOINTMENTS

Mr. Maloney moved, Mr. Smith seconded and it was unanimously carried to appoint Gail McMaster to the Environmental Advisory Council.

There being no further business, Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to adjourn the meeting at 9:30 p.m.

Respectfully Submitted,

Matt Maloney, Secretary

