

TOWNSHIP OF LOWER MAKEFIELD
PARK & RECREATION BOARD
MINUTES – FEBRUARY 10, 2009

The regular meeting of the Park & Recreation Board of the Township of Lower Makefield was held in the Municipal Building on February 10, 2009. Chairman Fritchey called the meeting to order at 7:35 p.m.

Those present:

Park & Recreation Board: David Fritchey, Chairman
Henry Carpenter, Vice Chairman
Patricia Bunn, Secretary
David Gordon, Member
Fran McDonald, Member
Dennis Wysocki, Member

Others: Terry Fedorchak, Township Manager
Donna Liney, Recreation Director
Pete Stainthorpe, Supervisor Liaison

Absent: Andrew Newbon, Park & Rec Member

APPROVAL OF MINUTES

Ms. Bunn moved, Mr. McDonald seconded and it was unanimously carried to approve the Minutes of January 13, 2009 as written.

DISCUSSION ON 501C3

Mr. Fedorchak stated the Board of Supervisors is looking to create a 501C3 designation for the Township to enhance fundraising efforts and make it clear that when you contribute to a cause such as the Veterans' Memorial, the Garden of Reflection, or some similar type of special project of that nature where they reach out to citizens for a special donation, there would be no question that it is a tax deduction. He stated the idea is to create an umbrella 501C3 for any special project that the Board of Supervisors approves.

Mr. Fritchey asked if there would not be a separate 501C3 for each project, and Mr. Fedorchak stated the solicitor is going to report back to the Board of Supervisors on this, but he feels there will be one umbrella. Mr. Fritchey asked if there is any reason to separate them so that if something goes wrong with one project, it would not be a problem for the rest.

Mr. Stainthorpe stated he is waiting to hear what the solicitor says and feels there are plusses and minuses to this. He stated he feels they need to have careful definitions on how it is used and what it is used for.

Mr. Carpenter stated he has established a number of these over the years and it is time consuming so that it would be difficult to establish an individual one for each project. He suggested that they look into creating a new Township entity that would be responsible for this as he does not feel the “Township” should be a charitable organization. Mr. Stainthorpe stated they do have to have a Board of Directors. Mr. Fedorchak stated he felt the idea was to have himself, a Supervisor, and the Finance Director on the Board. Mr. Carpenter stated he does not feel the Township can be a charitable organization for those types of things. He feels they need to have specific rules on who can be on the Board. He stated there should be someone from the citizenry as well. He stated to have the charitable designation, you have to have all the rules in place and it is a detailed process.

Mr. Fritchey asked if this would be only for things happening on land owned by the Township, and Mr. Fedorchak stated his understanding is that it would be projects that the Board of Supervisors has approved such as the Veterans Memorial and the Garden of Reflection. Mr. Carpenter stated they will have to narrowly define the type of things they are considering. Mr. Fritchey stated he feels that if the Garden of Reflection wanted to be made a tax-deductible charity, they would do this on their own, would raise money, and then offer to donate money to the Township to build facilities and fixtures on Township property. Ms. Bunn stated it should also be used for on-going maintenance.

UPDATE ON GARDEN OF REFLECTION

Mr. Fedorchak stated a meeting was held the end of January requested by Ellen Saracini, which was attended by Ellen Saracini, Grace Godshalk, Liuba Lashchyk, Jim McCaffrey, Erik Stark, Matt Maloney, and himself. He stated the Agenda from that meeting was provided to the Park & Rec Board in their packet. He stated the meeting lasted over two hours, and of interest to the Park & Rec Board would be the idea of creating their own separate Corporation with its own 501C3 designation. This was presented by Mr. McCaffrey and the idea would be to create an endowment fund with target of \$1 million. This fund would be used on a going-forward basis to pay for all operation and maintenance costs at the Garden of Reflection. He stated there may also be offers to finance capital improvements at some time in the future. Mr. Fedorchak stated it would be the corporation which would be in control of the money, and they would ask the Board of Supervisors for some kind of land lease for some period of time allowed by law. He stated he feels this approach has a lot of merit.

Ms. Bunn stated she assumes that this would be for the Garden of Reflection and not all of Memorial Park. Mr. Fedorchak stated there would be further discussion on this. Mr. Fedorchak stated Mr. McCaffrey asked if the Township would consider giving this new entity what was left in the Memorial Fund which would serve as seed money toward the \$1 million, and perhaps the Township would be willing to consider paying out of tax revenue a portion of the maintenance costs for a certain period of time to be defined.

Mr. Fritchey asked how much is left in the fund, and Mr. Fedorchak stated once they fulfill all the obligations to the general contractor, they should have approximately \$200,000 left in the fund. Mr. Fritchey asked how much is left in the fund currently and Mr. Fedorchak stated it is between \$300,000 to \$350,000. He stated they have not paid out the balance to the contractor because of outstanding issues including electrical. The contractor has been advised of the Township's concerns, and they are giving him an opportunity to make those things right once they get the final report from the engineer and spec out the corrective actions. Mr. Fedorchak reviewed the electrical problems that need to be corrected.

Ms. Bunn stated Memorial Park falls under the jurisdiction of the Park & Rec Board and she asked if this gives them any say in whether they should proceed with the proposal by the Garden of Reflection Committee and whether they can suggest conditions that should be put in place. Mr. Fritchey stated he feels that the Park & Rec Board is being asked their opinion. Mr. Fedorchak stated he wanted to advise the Park & Recreation Board what was being discussed, and the Garden of Reflection group will continue to determine the feasibility of making this happen. He stated the Township will have to consider the land lease and the conditions that they would have to meet. Ms. Bunn stated she is concerned about giving them seed money recognizing that there was a Budget that has been exceeded every year for maintenance. She stated she also wants to make sure that what has already been installed and put in place is able to be maintained.

Mr. McDonald asked how they will insure that the original Plan they have agreed to for Memorial Park will be adhered to. Mr. Fedorchak stated the only control the Township would have would be through the land lease and the conditions established. Mr. Fedorchak stated the new entity would have control over the land for which they have the land lease on. Mr. Carpenter stated the land lease would be for the footprint decided on, and the only rights they have is to maintain what is there. If they want to change it in any way, it would require Township approval as it is still Township property. Ms. Bunn stated she feels that anything that is newly installed would have to be maintained as well.

Mr. Fritchey asked for further clarification on the electrical problems adding that while he is favor of getting this fixed if this was a spec deficiency, he does not have a lot of confidence with allowing the group to do what they want on the footprint they are

requesting to have control over in the land lease. Mr. Fedorchak stated the Board awarded the contract in 2005 including alternates totally slightly less than \$1.1 million. There were then a series of change orders starting in April of 2006. The Dedication ceremony was September, 2006; and there was a lot of pressure to get the project done by the date of the Dedication. Mr. Fedorchak stated he feels the general contractor was ultimately responsible. Mr. Fritchey stated he is concerned with a long-term lease; and if something goes wrong, the Township is left with a potential problem in a public park. Ms. Bunn stated they would have to write in the land lease that anything they do has to be approved by the Township. Mr. Carpenter stated they could write into the land lease that the project is done and there is no additional work foreseen. He stated there would be a problem if they wanted to add to the footprint, and Mr. Fritchey stated the Agenda does show that they are considering a lot of additional work.

Mr. Fedorchak stated he has a number of concerns about giving them all the money. He stated currently the operating costs and what they are raising on an annual basis are breaking even. He stated they are raising funds through the golf outing and the Run almost enough for the current operating and maintenance costs. He stated he is concerned what will happen in a few years when they need to make improvements, replace trees, etc. Ms. Bun stated it is also possible that they will not be able to raise as much as they have in the past given the economic climate. Mr. Fritchey stated as the years go by, the public interest may also fall off. Mr. Fedorchak stated he is concerned because they had a project approved at \$1.1 million, but it went from that number to more than \$1.4 million with all the add-ons. He is also concerned that they are inclined to “grow” the Memorial as has been seen already; and once they were done everything inside, they started to go outside and decided they needed an arboretum so that they would have a place to put the benches which were donated. He stated they are just now starting to get numbers from the Finance Director on operation and maintenance costs. Mr. Fritchey stated this is what they should be focusing on. He stated they have built a fine Memorial with the exception of the electrical problem, and he feels they should focus on maintenance which will be a continuing fixed cost. He stated they should not be continuing to expand it since this is inconsistent with the Plan for Memorial Park.

Mr. Fedorchak stated he called in the electrical engineer late last year after seeing an e-mail from Ms. Lashchyk on the status of the Contract two years after the Dedication ceremony. He stated she identified various electrical issues which had been happening for two years, so he had the electrical engineer go out to make an assessment. Mr. Fedorchak stated he does not feel they properly tied up the original Contract. Mr. Fritchey stated this does not give him confidence in giving them the responsibility for the maintenance.

Mr. Stainthorpe stated he feels the Board of Supervisors is probably unanimous in agreeing with the Park & Rec Board that they are not going to be giving this group carte blanche. He noted the number of items they have listed which they are interested in adding such as a children's garden, interpretative center, etc. He feels they should stay with the Memorial Park Plan as it has been approved. Ms. Bunn stated she has been concerned that they have been creeping into areas where they should not be.

Mr. Stainthorpe stated the original plan was for a partial passive park, and he does not feel they should be able to change that. He stated he feels it is incumbent on the Park & Rec Board, the Board of Supervisors, and the Township Manager to continue to manage this.

Mr. Carpenter questioned whether or not the Township can give them the money as the money was donated to the Township for a certain purpose, and he does not feel they could just give these funds to a private charity. Mr. Fedorchak stated the money is the Township's although it does carry a different designation. He also stated throughout the whole process, the Park & Rec Board has unanimously stated that they have their own area, and the rest of the Park is a Township park.

Mr. Wysocki stated he feels they should give the group counsel that they feel that they should focus on maintaining what they have rather than expanding so that the existing facility does not fall into disrepair. Ms. Bunn stated the Park & Rec Board also indicated that they should not go forward with anything further until they had money set aside to provide for all maintenance.

Mr. Stainthorpe stated they have not yet come formally before the Board of Supervisors so no action was needed by the Park & Rec Board at this time.

DISCUSSION OF VETERANS' MEMORIAL

Mr. Fedorchak stated tomorrow night he will be meeting with the Veterans' Committee who is in the process of selecting an architect. He provided information on what they are proposing to the Park & Rec members this evening. Ms. Bunn expressed concern with the fact that they do not want to have a general contractor. Mr. Fedorchak stated the Memorial is proposed for a portion of a Township Park, and he would like them to appear before the Park & Recreation Board at some point in the future so that they can comment on the design concept. He stated they are in the process of interviewing architects at this time. It was noted what is included in the letter received seems ambitious for the size of the property.

CONSIDERATION TO APPROVE PONYSHARE SUMMER PROGRAM

Ms. Liney stated all six Township summer programs have indicated they would like to return to Lower Makefield for 2009. In addition, the Township has received a request to offer a week long summer camp from Pony Share providing instruction in safety, grooming, and riding using ponies and cobs. Pony Share has indicated it will meet all Lower Makefield Township camp requirements, and operates successful camps in Middletown, Lower Southampton, and Northampton Townships. Ms. Liney stated typically they attempt to locate a summer camp near restroom facilities and a pavilion, and the Township would be able to make this accommodation at Memorial Park. Ms. Liney added that they would do one week the end of June and one week in July. Ms. Liney stated she spoke with representatives in both Middletown and Northampton who indicated they had success with this project. The proposal was acceptable to the Park & Recreation Board.

SUPERVISOR LIAISON'S REPORT

Mr. Stainthorpe stated the Board of Supervisors is no longer considering the single-trash hauler issue. He stated they are currently considering traffic issues on West Ferry Road. He stated the long-term solution is to keep the cars on West Trenton by timing lights, possibly left-hand turn lanes, etc. so that people do not have an incentive to cut through neighborhoods. He stated they may be looking into certain traffic calming measures on West Ferry, but they are not going to block off the road. He stated the Board is also going to have to deal with the deer issue. He stated the Frankford Hospital issue is also ongoing and is currently before the Zoning Hearing Board. He assumes that if they grant a Special Exception, the Board of Supervisors will probably Appeal it. He stated there will also be a potential sale of Elm Lowne by the Board of Supervisors. He stated the Black Rock Road project is on hold because of weather; and once it is paved, they will be able to re-open. Mr. Fedorchak stated they have two weeks left of work once the rock base is sufficiently thawed. He anticipates that they will be done by the end of March at the earliest.

RECREATION DIRECTOR'S REPORT

Ms. Liney stated in his remarks as the new Chair of the Board of Supervisors Matt Maloney has proposed a program titled LMT 2015 to begin early this spring in which the various Township Departments will present a five year forecast to the Board and the public which will cover Departmental wants and needs for both operating costs and capital improvements. She stated she will be working with the Township Manager on this five year plan and hopes to provide a draft to the Park Board for input and discussion at the March meeting.

Ms. Liney stated the Township is working on issuing the spring facility permits to the user groups for 2009. New this year is a preliminary request for usage of a 60 foot baseball field and a 90 foot baseball field for ST. Ignatius CYO. This year will also be a first time for pickup play by area seniors on the Community Pool softball field in the mornings one or two days a week. Field permits continue to be a challenge as the Township receives multiple use requests for limited fields. The Township does appreciate the cooperation of these groups in allocating space.

Ms. Liney stated the Lower Makefield Seniors Group is hosting AARP tax preparation assistance in the Township Building to group members and non-members. Appointments are scheduled on Monday mornings and will run through April 13.

Ms. Liney stated the Lower Makefield Township Special Events Committee has confirmed two planned special events for 2009 - Community Pride Day on Monday, Labor Day, September 7, and the Veterans Day Parade on Sunday, November 8. A proposed spring happening is in the discussion stages. Park & Recreation is happy to be part of these special events.

Ms. Liney stated the Community Pool restroom renovations are nearing completion. Costs are in line, and the project should be completed by the end of February. The approved ASME drain covers have been received by the Township pool service company and will be installed as soon as weather permits. The Township will receive a certificate of compliance following installation.

Ms. Liney stated enrollment in the Community Pool is underway and has been going smoothly. Feedback from the returning members has been positive as the members have remarked how easy it is to re-enroll on line.

Mr. Fritchey asked about the five year plan and if they are to have projected capital expenditures each year for the next five years or some projected figure for the upcoming five year period. Mr. Fedorchak stated he feels they should do it year by year.

LEAGUE LIAISON REPORTS

Mr. Wysocki stated the follow-up work on the turf field is scheduled to be done this weekend. He stated the turf field has been a tremendous help to YMS, and they are using the field now. He stated the Club does routine maintenance to keep the nap raised, and there is also a need to refill the black pellets that get carried away on the shoes.

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There being no further business, Ms. Bunn moved, Mr. Gordon seconded and it was unanimously carried to adjourn the meeting at 8:35 p.m.

Respectfully Submitted,

Patricia Bunn, Secretary