

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – APRIL 6, 2011

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on April 6, 2011. Chairman Caiola called the meeting to order at 7:30 p.m. Mr. Smith called the roll.

Those present:

Board of Supervisors: Greg Caiola, Chairman
 Pete Stainthorpe, Vice Chairman
 Ron Smith, Secretary
 Dan McLaughlin, Treasurer
 Matt Maloney, Supervisor

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

PUBLIC COMMENT

Ms. Lois Tragone, Silo Road, stated she is present with her son, Jeff, and they are helping one of his friends, Peter Thompson, and his Unit who are currently stationed in Iraq. She stated she sent an e-mail to friends and family in the community asking for donations, including Mr. Smith, who then sent the e-mail to numerous people; and the response from the community has been overwhelming. Mr. Smith stated he was surprised to learn that the servicemen and women are lacking many necessities. A power point presentation was shown of Unit 107 in Iraq. Ms. Tragone stated she and her family are packing and shipping the donations. She thanked those who have already been supportive. She showed a list of Troop requests and asked that if anyone is interested in donating they can contact her at ltragone@verizon.net or soldierstuff.org.

Mr. Caiola stated for the last few years they have been collecting food on Election Day, and he suggested that this year they send some supplies to the service people in Iraq and Afghanistan. He also noted the Sons of Italy organization he is a member of also sends supplies to Afghanistan.

Ms. Tragone stated the Lower Makefield Seniors are active in collecting supplies for service people as well. Mr. Smith stated Kathy Kraeck who is on the Veterans' Committee also is involved in sending supplies to service people. Ms. Tragone was thanked for the work she is doing.

Mr. John Suntato, 1280 Wilton Crescent, stated his home is near the Five Mile Woods. He provided photographs showing a situation in his neighborhood. He stated he is requesting help stopping unsafe, unattractive, noisy, and disrespect of the rights and properties of others, youth activities which are taking place in the middle of his street. He stated this situation has been going on for the past two years after school and all summer. He stated they are skateboarding in the middle of the street using ramps, rails, and various box platforms with three to ten youths at one time ranging in age from eleven to fifteen. He stated the ramps, etc. are sometimes left in the street unattended or stored by the curb or on a vacant property on the street. He stated they also place soccer nets on each side of the street at the entrance to the street from the larger street, and the balls are hitting vehicles parked in the street or in private driveways and are landing on lawns and shrubs. He stated they also play basketball in the middle of the street. He stated there is screaming and sometimes cursing, and they are running across all the lawns. He stated they are defiant and slow to move out of the way of cars, and he has also observed them urinating on bushes on some of the properties.

Mr. Suntato stated four of the boys live on two houses on the street and as many as four to five others are non-residents. He stated the street is being treated like a community playground. He stated they are aware that he has complained in the past, and several of them lay on his lawn and wave at him. He stated Police have been called and another neighbor complained to the Officer that one of the youths had cursed at his wife when she tried to drive through the street. Mr. Suntato stated Newtown Township recently closed its skateboard park when nearby residents complained of noise, and he would ask that Lower Makefield stop these activities that are occurring in front of his house.

Chief Coluzzi stated Police have responded every time Mr. Suntato and his wife have called 911. He stated several times they did speak to the juveniles that were on the street playing in the cul-de-sac and skateboarding. He stated the Police also did a survey of other neighbors on that street, and the other neighbors were not complaining about any activities taking place on the street. He stated some years ago there was a neighbor dispute taking place on this street, and after several responses by the Police, they got the Bucks County Peace Court involved. Chief Coluzzi stated Mr. Suntato and his wife did meet with them, but they could not resolve the dispute on the block. Chief Coluzzi stated when the Police have responded; while the juveniles are playing in the street, they are not doing anything wrong, and there is nothing illegal about skateboarding in the street.

Mr. Caiola stated he has observed that ramps, boxes, etc. do get left in the streets, and he feels this is a dangerous situation. Chief Coluzzi stated there is a law about obstructions in the roadway; and if the Police do see this, the people responsible can be fined, but every time the Police went out, they did not see ramps or any obstructions being left in the street.

Mr. Suntato stated this is why he took the photos. He also noted he never called 911, and has always called the other Police number. He stated the ramps are there and their primary concern is safety since often these items are left at the end of the street where cars are turning in. Mr. Suntato stated the Police have responded in the past but advised that it is not illegal to play in the street. Mr. Suntato stated he is asking if there is something that could be done so that someone does not get hurt and also so that others who do not live in the neighborhood do not congregate here. He stated he will not call the Police again since the last time they were out, the Officer stated it is not against the law so he is wasting his time calling.

Chief Coluzzi stated the last time the Police were there, they did refer this to the Juvenile Detectives who were going to go out and make contact with the parents and try to get them to cooperate and possibly have them play only at certain times, but they cannot guarantee any results from this.

Mr. Suntato stated approximately one and a half weeks ago a male and female in their mid-thirties came to his home, and the woman identified herself as the mother of one of the boys that he had called the Police on. She advised him that it was against the law to take pictures, and she stated if he continued and did not destroy the pictures, she would report him to the Police as a pedophile and a stalker. Mr. Suntato stated he was told by the Police that it is not against the law to take pictures. He stated it is a group of boys, and he is not zeroing in on any individual person as can be seen by the photographs he provided to the Board this evening.

Mr. Smith asked the location of the closest recreational facility, and Mr. Suntato stated he feels it would be the Township complex.

Mr. McLaughlin stated he assumes that if the Officers who respond did see these obstructions in the street, they would confiscate them; and Chief Coluzzi stated they would and would also try to determine to whom they belonged and would warn or fine the individuals responsible. Mr. McLaughlin asked if there is anything the Township could do to help Mr. Suntato as the pictures he has provided are compelling. He noted the items being left on the sidewalk that appear to have been abandoned, and he asked if the Township could take this stuff. Chief Coluzzi stated if it is in front of someone's home or on abandoned property they could do this; however, if it is front of the owner's home, they cannot take it. Chief Coluzzi stated they can take it if it is in the street at the time the Officers are present and is obstructing traffic, and the owner can be fined per Township Ordinance. Mr. McLaughlin asked if there is an Ordinance that protects neighborhoods from large groups of individuals congregating, and Chief Coluzzi stated there are many laws on the books including disorderly conduct laws, etc. but nothing against simply congregating. Mr. McLaughlin stated he wants Mr. Suntato to understand that he can still contact the Police, and he does not feel the Chief is advocating that he should not call the Police; and Chief Coluzzi stated they have suggested that he call the

Police when the juveniles are there so the Police can respond and observe for themselves the activities taking place. Mr. Suntato stated the last time the Police were called, the nets were next to the curb, and the Police Officer pointed to them and stated he did not have a problem with the nets or the wooden box that was next to the curb. He also felt like the Police Officer was “perturbed” about being called indicating that he had come out before; and this was when Mr. Suntato stated he would not call again since there is nothing they can do.

Mr. Tristram Heinz, 532 Stony Hill Road, asked the purpose of the small flags that have gone up within the last few weeks on Stony Hill Road and Mirror Lake Road between McCaffrey’s and the railroad tracks. Mr. Majewski stated he does not know, but he will look into this.

Mr. Simon Campbell, stated he serves on the Pennsbury School Board, and he has permission to read an e-mail he received from Beth Lucidi who is the wife of Greg Lucidi who is his School Board colleague who represents Region 2 – Falls Township. He stated Ms. Lucidi wrote about the removal of signs from Lower Makefield for their upcoming St. Joseph the Worker Carnival. She stated she works at the Rectory at St. Joe’s, and the annual Carnival is designed to raise money for the tuition assistance fund which helps lower-income Parish families afford an elementary Catholic education. She advised that St. Joe’s is located in Falls Township, but they have Parishioners who live in both Falls and Lower Makefield Townships as well as other area Boroughs and Townships. She stated a number of the Church volunteers put out approximately thirty small, roadside signs which were no bigger than 24” on Stony Hill Road in Lower Makefield. She was upset to learn from a Parishioner that a Lower Makefield Township Zoning vehicle was seen pulling the signs out of the ground. When Ms. Lucidi called Lower Makefield about this, she was greeted by a “rude” employee who stated they could not have their signs in Lower Makefield because they did not have a Permit and was told they would be unable to get a Permit because the Carnival was not located in Lower Makefield Township. She was also told she would have to come to the Township by Friday to retrieve the signs or they would be thrown in the trash. Ms. Lucidi stated she did not feel this activity was right or just. She stated Falls Township is a Lower Makefield Township neighbor, and their Church has Parishioners who live in both places. She stated community residents must see lots of political signs, and she does not feel their small signs which were designed to promote a charitable cause are offensive to anyone.

Mr. Campbell stated he understands Mr. Caiola also received an e-mail from Ms. Lucidi on this matter, and he had responded to Ms. Lucidi by e-mail indicating that the Board of Supervisors were going to discuss the Sign Permitting procedures during Executive Session this evening, and that this was not the only organization that had signs removed over the last few weeks because of a complaint.

Mr. Campbell asked Mr. Caiola if they discussed this during Executive Session, and Mr. Caiola stated they did discuss the Permitting issues since over the last few weeks, this issue has come up twice having to do with signs being taken down for not having Permits. He stated he wanted Ms. Lucidi to understand that it was not just because it was a Church in Falls Township that it was an issue. He stated they are trying to be more consistent with the way they handle the Permitting and Sign Ordinances throughout the Township since they realize there is probably some room for improvement and people will have a better understanding as to how to get a Permit and whether you can get a Permit if you are from outside of the Township. He stated they will be discussing this with a number of people including the Zoning Officer. Mr. Caiola stated they anticipate discussing this over the next few months and consider if changes should be made.

Mr. Campbell asked if this was discussed during Executive Session this evening, and he asked who was present. Mr. Caiola stated it was discussed during Executive Session and all Supervisors were present with the Township Solicitor and Township Manager. Mr. Caiola stated they also discussed making sure that going forward people are educated as to how to get Permits, how long signs can be up, and whether they want to exempt any organizations from getting Permits. He stated during this time of year there are not only a political signs but also signs from the different recreational organizations about registration. He stated their goal is to be consistent with how signs are handled. He stated they also discussed that if the Township does take the signs down, they should provide a courtesy call letting them know that the signs have been taken down, the reason why, and where the signs are being held. He stated they recognize that there are areas for improvement. He stated this matter has come up more in the last two weeks than it has in the last two to three years.

Mr. Campbell asked if he would characterize the discussions as “deliberating” what they should or should not do moving forward with regard to the Sign Permitting procedures, and Mr. Caiola stated this is part of it. Mr. Truelove stated he does not feel any deliberations occurred and it was more of an “FYI” and no decisions were made. He stated it was a determined that this should be discussed at tonight’s meeting and other meetings about what the policy should be going forward.

Mr. Campbell stated he is an elected Public School Director and the School Board Directors are governed by the requirements of the Sunshine Act just as the Supervisors are. He provided information to the Board on the Sunshine Act this evening. He noted Section 704 of the Sunshine Act which is a requirement of any governing entity states, “Official action and deliberations by a quorum of the members of an agency shall take place at a meeting open to the public unless there are certain exceptions which pertain to Executive Session.” He stated there are six exceptions that are allowed to be discussed privately behind closed doors; and if the topic does not fit into one of these six exceptions, then it falls under the Open Meeting criteria where it has to be discussed publicly. He noted the six exemptions are: 1) discussion of employment matters,

2) information and strategy regarding collective bargaining, 3) consideration of purchase or lease of real estate property, 4) consultation with attorney regarding litigation or identifiable complaints expected to lead to litigation, 5) discussion of agency business which if conducted in public would violate a lawful privilege, or 6) constituted committees pertaining to educational, academic admission, or standings. Mr. Campbell stated he feels this discussion regarding Sign Permitting procedures and what should happen moving forward sounds like a policy discussion/deliberation, and he asked which of these six exemptions the Township solicitor feels this would fall under.

Mr. Truelove stated the issue was on the Agenda originally as an “FYI” because the solicitor and many others were not aware of the e-mail exchanges. He stated no deliberations occurred since it was an information-sharing session. He stated it became evident that potentially complaints might be filed at some point about the removal of the signs or allowing signs to remain so at some point during the discussion it transitioned to Item #4 noted by Mr. Campbell – “information in connection with litigation or issues on which indefinable complaints are expected to be filed.” He stated the discussion did not end with any deliberation or decision being made; and in fact, there is still a lot of information being discussed and exchanged about this.

Mr. Campbell stated he understands that Mr. Truelove’s job is to protect the Supervisors from any assertion that they may have violated the Sunshine Act; but Mr. Caiola just provided a lengthy description of what took place “behind closed doors,” and it sounded like deliberation pertaining to public policy. He stated he is a “stickler” for this, and this issue came up as to what Permitting issues they should have and what they should do moving forward, and this is deliberation of public policy, and it is required to be conducted at an open meeting and not during Executive Session according to the law. He stated there was no identifiable complaint or litigation.

Mr. Truelove stated he understands that the way this matter came to everyone’s attention was because a complaint was issued. Mr. McLaughlin stated there was clearly an identifiable complaint via the e-mails. Mr. Truelove stated this is his understanding, although he has not personally seen the e-mail. Mr. McLaughlin stated this matter was brought to their attention by Mr. Caiola who received the e-mail. Mr. McLaughlin stated he was present during Executive Session; and he feels that Clause #4 would protect the Board, and he feels that they followed the Executive Session rules in good faith.

Mr. Campbell asked if they believe that the entire discussion was a consultation with counsel regarding issues upon which identifiable complaints are expected to be filed; and Mr. McLaughlin agreed. Mr. Campbell stated he feels the Board is “dancing very, very close to the law,” and he has seen this on the School Board as well, and they are getting into public policy decisions “behind closed doors” and it very easy for these

discussions to violate the Sunshine Act. He encouraged all Board members to be careful what they discuss in Executive Session so that they do not move from legal strategy into policy discussion which should only be done in front of the public.

Mr. Campbell stated with regard to signs that have been put up around the Township, he noted the big signs at McCaffrey's advertising the Shady Brook Farm Carnival; and he asked if the Board knows if they received a Permit for these signs. Mr. Fedorchak stated he will have to check into this with the staff. Mr. Campbell asked if the Pennsbury Falcons have a Permit for their signs, and Mr. Fedorchak agreed to look into this. Mr. Campbell stated he does not believe that they do have Permits for these signs.

Mr. Campbell stated Falls Township residents and Parishioners of St. Joseph the Worker are involved in a charitable cause, and they installed a few small lawn signs in Lower Makefield Township and were subjected to their private property being confiscated by the Township's public employees; and according to Ms. Lucidi, were subjected to rudeness on the telephone by Township employees and told that if the signs were not picked up, they would be thrown in the trash. He stated he feels there is such a thing as neighborly relations, and there are certain signs that almost certainly do not have Permits, and they were not ripped out of the ground or told that they were going to throw their signs in the trash. He stated south of Route 1 there is an impression that Lower Makefield takes an attitude that charitable functions and churches that are not part of Lower Makefield are not welcome to be advertised in the Township; and he feels this sets the wrong tone, and common sense should apply. He stated the signs were not offensive to anybody, and they should have been left alone. He stated he does not feel our public servants, whose salaries are funded with our tax dollars, should be treating any citizen that way whether they are from north or south of Route 1. He stated they need to decide how this will be resolved since the Township has confiscated private property.

Mr. McLaughlin stated Mr. Campbell has indicated that he is a "stickler for the law," and Mr. Campbell agreed. Mr. McLaughlin stated these signs were in violation of the law; and now Mr. Campbell is asking for the Board to follow the law to the letter in one regard that benefits his case, but in the other case, he is asking the Board to allow for an exception and look the other way when other people break the law. Mr. McLaughlin stated they were enforcing the law; however, Mr. Campbell stated the law is being enforced with discrimination. Mr. McLaughlin stated they do not know that at this point. Mr. Campbell stated he would like to see the Permits for the other signs. Mr. McLaughlin asked Mr. Campbell when he indicated that it is being enforced indiscriminately what proof he has, and Mr. Campbell stated he has a very strong feeling that the other signs were installed without Permit. Mr. McLaughlin asked Mr. Campbell if he had the Permit list with him, and Mr. Campbell stated he did not. Mr. McLaughlin stated if he is only saying it is "gut feeling," they do not entertain gut feelings. He stated they will research this; and if they are indiscriminately enforcing this, it will change. He stated they will

enforce the law to the letter; and they will find out that a lot of these organizations will not be able to see their signs in Lower Makefield any more. He asked Mr. Campbell if this is what he is asking the Board to do.

Mr. Campbell stated he is asking the Board to listen to “common sense.”

Mr. McLaughlin asked Mr. Campbell if he is asking the Board to enforce the law, but Mr. Campbell would not answer the question adding he feels they conduct their meetings differently than does the School Board. He stated at the School Board the public asks the questions of the elected officials. Mr. McLaughlin asked Mr. Campbell if he is asking the Board to enforce the law, and Mr. Campbell stated he is not listening to what he is asking. He stated he is a member of the public and is not here in an official capacity or as an elected official; and it is his job to ask the Board questions, and the Board is answerable to him. Mr. Campbell stated Mr. McLaughlin is not allowed to insist that he answer his questions. Mr. McLaughlin stated he is asking Mr. Campbell what he is asking of the Board.

Mr. Campbell asked if anyone has ever been pulled over by the Police for speeding adding that he has, and he has never been pulled over by a Police Office that gave him a fine and they just told him to “slow down.” He stated they could enforce the law since the law says you could get a ticket and pay a fine, yet there is such a thing as common sense, and community good will. He stated when the Township is ripping signs out that belong to Falls Township residents and then telling them they will throw them in the trash if they do not pick them up by Friday, he feels this is “obnoxious.” He stated there are “garish” political lawn signs that may be allowed by law, but this is a good deed; and he feels they have offended the Parishioners of St. Joseph the Worker, citizens south of Route 1, and should not have a “snotty, elitist attitude.”

Mr. Campbell stated the signs do not belong to the Township and should not be thrown in the trash, and he will pick them up tomorrow at lunch and give them back to their rightful owners and apologize to the Lucidis for the actions of the Township with regard to Falls Township.

Mr. Smith stated at this point they do not know whether Permits were issued for one organization or another. He stated when he was President of YMS they were allowed to put up signs about try-outs and registrations. He stated he does not feel anyone wants there to be signage clutter in the Township, but they need to exercise common sense to see what signs are permissible. He stated they cannot have selective enforcement and favor one charitable carnival over another just because one of them is taking place outside of the Township. Mr. Smith stated he is concerned about the number of businesses that post signs throughout the Township. He stated he feels they can draw a line whether it is something strictly commercial or something for the community good. Mr. Smith stated YMS was never charged a fee for the signs they put up, although technically they were supposed to be charged. He stated there was an understanding that

to charge a non-profit to put out a sign was “ridiculous.” He stated he feels the signs should be returned and put back up; and he also asked that whoever puts them up, also takes them down as well when the event is over. He stated some of the signs for the McCaffrey Carnival are like mini billboards, and he guarantees that they have not charged a Permit Fee for them.

Mr. Stainthorpe stated the Board of Supervisors does not know how, when, or why the Ordinance is enforced, and it does seem to be subjective. He stated he is certain that the Pennsbury Falcons do not have a Permit. He stated they should also advise those living south of Route 1 that the other signs that were confiscated were signs put out by the Artists of Yardley who rent a building at the Patterson Farm from the Township.

Mr. Stainthorpe moved and Mr. Smith seconded to instruct the Zoning Officer not to remove any signs except for clearly commercial signs until they establish a consistent, well-understood, and well-communicated policy.

Mr. Campbell stated he also feels the public employees of the Township should not be treating the publicly rudely; and the employee should have called the Church that the signs were taken down, and telling them they could come pick them up. He stated when this is done to the neighbors south of Route 1, it looks bad on the Township; and they should make sure that all employees are treating all citizens with courtesy and respect.

Mr. Fedorchak stated he is surprised to hear that one of the employees would react in this way to Ms. Lucidi. He stated this would be very unusual, and they have not yet had the opportunity to hear what was said from that employee. Mr. Campbell stated he understands this, and this is why he did not name the employee. Mr. Fedorchak agreed to look into this.

Mr. McLaughlin asked for an Amendment to put a timeframe on when this would be discussed; however, Mr. Stainthorpe would not agree to amend the Motion stating that they could discuss it at the next meeting or two to three meetings after that since they want to do this right.

Motion carried with Mr. McLaughlin opposed.

Mr. Zachary Rubin, 1661 Covington Road, stated he has been pulled over by a Lower Makefield Officer and was issued a ticket for speeding, and he sees this as enforcement of the law in the Township. He stated he respects the previous speaker’s rights, and Ms. Lucidi has the right to have her e-mail read, and residents of Lower Makefield have the right to make comments during Public Comment. He stated the previous speaker in his remarks did identify himself as the Liaison from the Pennsbury School Directors to Lower Makefield Township, and he contradicted himself when he said he was coming in

not as an official although he did identify himself as an official person. He stated he did not hear him speaking about issues regarding the Pennsbury School District and the Township of Lower Makefield, but heard him discuss parochial school fundraisers; and he does not feel the Liaison from the Pennsbury School District should be speaking about this in front of this Board.

Ms. Kathleen Zawacki, 1439 Wheatsheaf Road, stated she is aware of the situation with St. Joseph the Worker. She stated as a retired FBI Agent, she feels there is no reason why someone on the end of the phone should be rude to a taxpayer; and she feels this is a greater issue than the Permits. She stated there is no excuse for an anonymous person who has “a job for life” to be rude. She stated if she had been rude to someone when she was an FBI Agent, she would have been “called on the carpet.” She stated they need to maintain a certain amount of dignity and answer the question. She stated it is the rudeness of this employee that needs to be addressed.

Chief Coluzzi stated they do not know at this point what was said, and Ms. Zawacki knows as a public servant that she has been in this position many times; and Ms. Zawacki agreed that it is perception. Chief Coluzzi stated they should not be speaking about this as though it is fact. Ms. Zawacki stated she did not say it is fact and said that there is a perception there; and having been on the receiving end whether it is the DMV which is the State or having to get a Variance for something on her property, the perception is Government employees whether they are Federal, local, or State cannot be rude; and she does not feel there is an excuse for this. Chief Coluzzi stated once things are said, people hear this and feel that there are rude employees in the Township; however, the employee involved has not had the right to be heard yet, and no one really knows exactly what happened. Ms. Zawacki stated she feels they should bring them to the meeting. Chief Coluzzi stated he does not feel accusations should be made especially from a third party. Ms. Zawacki stated she spoke because she has been on the receiving end of some of those phone calls, and she would suggest that the employee come to the meeting and explain themselves. Chief Coluzzi stated the Township Manager has already indicated that he will look into this. Chief Coluzzi stated it is not acceptable to speak at Public Comment when there is a viewing audience and make accusations about a Township employee that they do not know is accurate. Ms. Zawacki stated she did not make an accusation; and she only stated public employees should be held accountable and made aware of the things they might say that may be taken the wrong way. Chief Coluzzi also stated people in public office should be responsible for comments they make.

APPROVAL OF MINUTES

Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to approve he Minutes of March 16, 2011 as written.

DISCUSSION AND APPROVAL OF AMENDING RECYCLING AGREEMENT
WITH OTTER RECYCLING CENTER TO ALLOW FOR SINGLE STREAM
RECYCLING

Mr. Chuck Raudenbush, Waste Management, was present and stated Otter Recycling had a three-party Contract with a number of Municipalities in the County and Bucks County. Waste Management took over operations of Otter Recycling on January 1, and the Contracts are now between Waste Management, Bucks County, and the Municipalities. Mr. Raudenbush stated Mr. Fedorchak called him several weeks ago and asked if they would be willing to change the Contract from a dual-stream recycling to a single-stream program and also to expand it to include various other commodities. Mr. Raudenbush stated they have prepared an Agreement which was provided to the Township solicitor and Manager facilitating this.

Mr. Stainthorpe stated single-stream recycling is easier for the public, and he feels they should approve this. Mr. Raudenbush stated the Agreement before the Board is a “boiler-plate” Agreement that they have in Bucks County. He stated the amount of recyclables collected will probably go up 15% to 20% with single-stream recycling, and the Agreement for single-stream has a greater value for the material which means more money back to Lower Makefield Township.

Mr. Fedorchak stated he understands that they are changing the pricing structure such that there will be a single price per ton for all the recyclables, and Mr. Raudenbush agreed. He stated there is a formula based on various indexes in the industry, and the formula will generate a revenue-stream to the Township on a monthly basis. He stated it has a floor of zero noting that recyclables are a commodity, and it is a variable market. He stated previously there was two-stream pricing, but now it is a one-stream pricing.

Mr. Truelove stated this Agreement will replace the Agreement the Township had with Otter. Mr. Smith asked if they were to approve this, would it impact any of the other trash companies; and Mr. Raudenbush stated this has nothing to do with the collection of trash. He stated the Township has the same ability to hire whatever hauler they want, and this only applies to where it is ultimately processed. Mr. Raudenbush stated whichever trash hauler the residents have will continue to pick up the materials and haul them to the facility in Falls Township where they will be shipped off to processing. He stated nothing is changing from a collection standpoint.

Mr. Maloney stated he understands that one or more of the haulers take their recyclables to Blue Mountain rather than this facility, and Mr. Raudenbush stated this is only for the recyclables coming to Otter; and if a hauler takes it to Blue Mountain, the Township does not get the money.

Mr. Fedorchak asked if the price they are agreeing to would be the same as the surrounding communities, and Mr. Raudenbush stated every Municipality in the area of Wrightstown south will be availed the identical Agreement.

Mr. McLaughlin asked if this will have any impact on the Budget, and Mr. Fedorchak stated the pricing matrix is quite complicated, and Mr. Raudenbush did offer to have the Township audit the recycling from time to time. Mr. Raudenbush stated they could do a forensic analysis of the recyclables but added they do have a formula based on history of other comparable Municipalities. Mr. McLaughlin asked if the money collected will be less or more than previously, and Mr. Fedorchak stated he feels it will increase. He stated last year they received approximately \$20,000 from Otter, and he feels it may be higher this year. Mr. Raudenbush stated this year the Township has received approximately \$3,000 per month for January and February. He stated under single-stream, he feels the value will go higher.

Mr. Truelove stated Mr. Dresser from the EAC is present this evening, and the EAC had indicated that they were in favor of this. Mr. Dresser was present and stated the list of items that can be recycled by the residents curbside is expanding quite a bit, and many people do not know about these items. He stated the EAC has taken on a project where they are contacting the four residential waste haulers to find out exactly what they take for recyclables, and they will come up with a list to be put on the Township Website and Cable TV Channel.

Mr. Dresser asked Mr. Raudenbush if they are going to make recycling containers available to their customers since people will be generating more recyclables with the single-stream and the expanded list. Mr. Raudenbush stated materials from any container that is properly marked as recycling will be taken. Mr. Dresser asked what they are getting currently per ton, and Mr. Raudenbush stated it is approximately \$30 per ton.

Mr. Dresser stated McCullough and Waste Management are taking their recyclables to this facility, but this represents only 40% of the recyclables in the Township so that the Township will not be getting money for 60% of the residential recycling. He asked Mr. Raudenbush if they could make an effort to get Allied Waste and Leck to take their recyclables to the Waste Management facility; and Mr. Raudenbush stated they cannot make a competitor do anything.

Mr. Zachary Rubin, 1661 Covington Road, stated he is the Vice President of Makefield Glen Homeowners' Association which represents 848 homes; and they have contracted with BFI, which became Allied Waste, which became Republic, and they have been accepting single-stream recycling for almost two years. He stated they have their own plant in King of Prussia so the Township would be getting money from any homeowner who uses Republic. It was noted that the Township does not have a Contract with the plant in King of Prussia. Mr. Rubin stated according to Township Ordinance the

Township is able to get funds for recycling from the haulers. Mr. Fedorchak stated that is part of the Performance Grant which is different from what is being discussed this evening. Mr. Maloney stated they would get more revenue if the residents used one of the two haulers that take their recyclables to Waste Management.

Mr. Stainthorpe moved, Mr. Maloney seconded and it was unanimously carried to approve the Agreement.

Mr. Raudenbush stated their solicitor will send an Agreement to Mr. Truelove's office.

DISCUSSION AND APPROVAL OF PATTERSON FARM MINOR SUBDIVISION/ LOT CONSOLIDATION PRELIMINARY/FINAL PLAN

Mr. Truelove stated this matter has been discussed for some time and has been reviewed by the various Commissions. He stated this is a proposed Subdivision of 5.14 acres and includes the Satterthwaite House and some other buildings. Mr. Truelove stated last week the Planning Commission voted four to one to recommend approval with a number of Conditions as outlined in the memo from Ms. Frick. Mr. Truelove stated Mr. Majewski has done an extensive job in terms of engineering. Mr. Truelove stated if the Board approves the Subdivision, they would then authorize them to offer the subdivided parcel for public sale.

Mr. Truelove read the Conditions recommended by the Planning Commission as follows:

- 1) Any funds the Township receives as a result of the sale of the property be directed to the maintenance of the other buildings on the site and/or the property itself;
- 2) Appropriate Deed Restrictions be placed on the property sold as outlined in the Bucks County Planning Commission's letter dated 2/17/11;
- 3) Remaining tillable acres on the Farm to be preserved;
- 4) The Township should have the right of first refusal if the purchaser of the home were to try to re-sell the property in the future;
- 5) Whatever is the intended use of the property should be consistent with the current use;
- 6) Approval of the Waivers outlined in the Remington Vernick review letter dated 2/23/11

- 7) Next year the Planning Commission will review the Comprehensive Master Plan update, if not before that time, and the specific uses of the Patterson Farm should be incorporated into the Plan as to how the entire property is going to be used and not just piecemeal.

Mr. Truelove stated the entire property includes over 200 acres and approximately 71 acres are subject to a Bucks County Conservation Easement which constitutes a swath across the entire large parcel.

Mr. Stainthorpe stated he does not agree with Item #3. He stated he has always taken exception with the idea that the Farm is not properly preserved, and he feels that it is. He feels Item #3 should be struck. He also stated with regard to Item #5, he is not sure what the current use of the home is and feels this is too vague. He stated he would be willing to accept the other conditions if these two were eliminated. .

Mr. Maloney stated he feels Item #5 (E) is addressing what the Zoning District already addresses in that it would have to be Residential in nature unless they get a Variance, Special Exception, or Conditional Use. He stated he does feel they could strike 5E.

Mr. Smith asked about the recommendation on the use of the funds. Mr. McLaughlin asked if this would be for the entire amount of funds or just some of the funds. Mr. Truelove stated it stated “any” funds not “all” funds. Mr. McLaughlin asked if they could put some of the funds toward improvements to the house being used by the Artists of Yardley if something major is needed. Mr. Truelove stated part of this would depend on how much the sale yields, and they may not be able to anticipate this until the property goes up for public sale and they see how much they receive. Mr. McLaughlin stated he is more uncomfortable if it is restrictive as to how they use the funds.

Mr. Smith stated there is also debt service, and Mr. Stainthorpe stated there is debt service on the property in general. Mr. Smith asked if any of these monies could be put into reducing the debt service. Mr. Truelove suggested that they defer this recommendation if and until the property is sold so that they would then know how much they are going to yield, and they can then allocate it. Mr. Smith stated at that time, he would like to hear recommendations on this from the public, the Historic Commission, etc. as to what should be done with these funds.

Mr. Maloney stated he feels that they should state that any proceeds from the sale should go to reducing the debt owed on the property in total or to provide maintenance or repairs to other structures on the property. He does not want the money to go into the General Fund to provide general services.

Mr. Truelove stated it appears that they are striking Items 1(a), 3(c), and 5(e).

Mr. Maloney stated he does not feel they need to strike 1(a) but rather they need to change the language so that it reads any proceeds from the sale of the property go to provide maintenance, repair, or reduction of the debt owed on the Patterson Farm property.

Mr. McLaughlin moved and Mr. Smith seconded to approve the Patterson Farm Minor Subdivision/Lot Consolidation Preliminary/Final Plan including the recommendations from the Planning Commission outlined in the memo from Nancy Frick dated 3/29/11 with Item 1(A) changed to read: any proceeds from the sale of the property go to provide maintenance, repair, or reduction of the debt owed on the Patterson Farm property, strike Items 3(C) and 5(E), and approval of the Waivers consistent with the Remington Vernick review letter dated 2/23/11.

Mr. Smith stated there was discussion by both members of the public and the Planning Commission that they should also consider the possibility of conveying some if not all of the tillable lands to Farmland Preservation.

Mr. Harold Koopersmith, 612 B Wren Song Road, asked if this is the property that they were waiting to hear about from the Court on how much they will have to pay on the lawsuit; and Mr. Truelove stated it is not. He stated that relates to the Dalgewicz property. Mr. Koopersmith asked if they have made a ruling on that property, and Mr. Stainthorpe stated they have. He stated the Supreme Court has agreed to hear the Township's case, and there are two points of law which they feel are significant. He stated the Township has to have a Brief to them by May 16. Mr. Koopersmith stated he feels they should put the money in reserve in case they lose.

Mr. Caiola stated they have discussed the Patterson Farm matter for approximately two and a half years, and he asked that comments with regard to the sale of the property be as concise and non-redundant as possible.

Ms. Donna Doan, 2814 Langhorne-Yardley Road, Langhorne, stated she is opposed to the Subdivision. She provided some information on the history of the property. She stated she feels they are taking an important component away from the Patterson Farm. She stated every building on the property has an intended purpose; and if they take these buildings, they will not be able to attract farmers in the future. Ms. Doan stated she feels that the Township's repair estimate of \$600,000 is inflated, but assuming it is correct, Ms. Karen Friedman had determined that the repairs to Satterthwaite at this amount would cost each household about \$40. She stated Satterthwaite could then become an income-producing rental property. She stated they could rent it out to the veterinarian, but the Township would still keep the integrity of the Farm. She stated with careful budgeting, regularly-scheduled maintenance, and careful rental management, the Farm would be self-sustaining.

Ms. Doan stated Mr. Patterson died eleven years ago and stopped maintaining the property in 1998 when the Township acquired his Farm, and since then the Township has not carried on Mr. Patterson's diligent maintenance routine. Ms. Doan noted the amount it has cost the Township to fight the Dalgewicz family for two decades, adding that every day since 2008, the interest on the Settlement grows by another \$500 which is \$15,000 a month on interest on a lawsuit that is still in litigation. She stated she does not feel a Golf Course should be a priority.

Ms. Doan stated the Board of Supervisors has the task of considering the opinions of all the community members including those with different opinions from the Board. She stated there is a segment in the community who enjoys the local farms and feels secure that there is locally-grown food available; and they feel the quality of life would be diminished without the farms. She commented on the loss of farmland in the Country. She stated she feels they should honor the Pattersons who left the Township such a treasure. She stated if the Township staff cannot commit to managing the Farm properly, they should stand aside and let the public and the people with vision who care about agriculture step up to the stewardship responsibilities. She stated the land should be put in Farmland Preservation so that no future Board will be tempted to cash in on it, and they should get to work with the long-delayed maintenance. She stated she feels it is premature to sell before a Plan is established for the whole Farm, and she feels it would be best to keep the Farm intact and working.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, commended the Planning Commission for their thoughtful consideration although she did not agree with the conclusions they reached. She stated the Planning Commission did reach the conclusion reluctantly; and she believes it is their desire that the Farm not be handled piecemeal, and they felt that the Township should preserve the Farm. Ms. Torbert stated she takes exception to the notion that the Farm has been preserved as it has not been preserved. Ms. Torbert stated she disagrees with striking the part about preserving the Farm. She stated with regard to the use, she does not feel the Planning Commission meant consistent with the current use of the Satterthwaite House, and she feels they meant consistent with farming and the use of the entire Farm.

Ms. Torbert stated she is concerned about the Zoning question. She stated the Planning Commission has not really looked at the Zoning issues, and she is concerned that the only use they have heard about is the equine hospital; and that is not a permitted use in R-1. She stated it is only permitted in C-2, C-3, O/R, and possibly Historic/Commercial. She asked if the Board of Supervisors has considered the ramifications of putting what is a commercial use in the middle of an R-1 District. She stated she has done a lot of research on equine hospitals, and they are basically hospitals and they require numerous buildings and separate pastures including isolation stalls and an isolation pasture.

Mr. Truelove stated while this may be correct, tonight is only the Subdivision; and if it goes up for public sale, the sale documents would indicate that it would be subject to obtaining the necessary Zoning relief. He stated the list of Special Exceptions include a riding stable, bed and breakfast, nursing home, and place of worship so that there are certain uses that by Special Exception might be more of a burden than what is potentially contemplated. He stated those issues are not being decided this evening.

Ms. Torbert stated Dr. Benz' proposal is the only use that they have heard about. Mr. Fedorchak stated this is incorrect, and he has had a number of inquiries from people other than Dr. Benz who have been following the progress of the Subdivision and have expressed an interest in the property, although he cannot state that they will step forward and make an offer. Ms. Torbert stated this is the first she has heard of this. She stated Dr. Benz's project is a major commercial use, and is not the same as a boarding stable. She stated she feels if they put an equine hospital on this property, Patterson Farm is going to look quite different.

Mr. Smith stated he is the liaison to the Planning Commission, and two of the members came to him and indicated they would like to demolish the buildings and plow them under; and none of the Supervisors are suggesting this. Mr. Smith stated he feels all of the Supervisors want to preserve the tillable farmlands. He stated he does not feel putting Satterthwaite in proper condition will effect the farming of the property. He stated the Board does have a duty to protect every aspect of the taxpayers' "pocketbooks." He stated the Township Manager has come up with a figure that is over \$500,000 to put the premises into livable condition. He stated he feels the Plans Dr. Benz has shown prove that if she is the winner of the sale, and she is permitted to proceed with her Plans, it will not effect the tillable lands, and it will be a pristine property.

Mr. Smith stated he is in favor of putting the tillable lands into Farmland Preservation. He stated he had been asked if they would still sell the property if the house was knocked down and the property put into tillable land, and he indicated that he did not feel they would. He stated they are not doing anything to impact the farming of the property. He stated the Stakeholders Committee provided a report two to three years ago with a Plan. He stated the Janney/Brown home is now being used, and thousands of people are getting to see what the Artists of Yardley have done with the property. He stated they want to get the Satterthwaite property back on the tax rolls, so that there is going to be income coming to the Township.

Mr. Smith stated several years ago, the Township could only afford to paint one side of the Satterthwaite House, and they cannot afford to put it back into the condition that they would like especially given these difficult items. He stated the roof of the barn cost the Township \$230,000. He stated they are trying to do what is best for all of the people in the Township. He stated the Board has included in the Motion that the proceeds will go back into the property.

Ms. Torbert stated she understands that they do not want to preserve the house, but there have been suggestions about the Resident/Curatorship Program, and this has not been actively pursued. She stated she has no doubt about the current Supervisors' intentions now, but she is concerned about the future and what will happen thirty to fifty years from now. She asked that the Board take steps now to preserve the Farm.

Mr. Smith stated he does feel that they will put something together to protect the property.

Ms. Doan asked if any of the Supervisors have any experience with agriculture, and none of the Supervisors indicated that they do. Ms. Doan stated she feels the Board all feels they are making the right decision. She stated when the Township makes a decision, they bring in an expert consultant on that issue, and she is concerned that they are not taking the opinion of the individual who has been farming this Farm for seventy years. She stated he has advised the Board that if they sell off this house and buildings, there will not be a place to perform all the necessary activities. She stated they have indicated that the current farmer is not using these structures, but they are not understanding that he has all of these facilities on his own nearby farm. Ms. Doan stated Mr. Majewski has indicated there is another barn, but there is a distinction between the barn at the Satterthwaite House and the barn at the Patterson House; and the barn at the Satterthwaite House was used because you could drive a truck into it. She stated everything on the property is an essential part of the functionality of the Farm. She asked the Board of Supervisors to make themselves aware of how a farm functions, because once they make this decision they will not get it back. She stated she feels it is more worthwhile to save a place where they grow food than to have a golf course.

Mr. Tristram Heinz, 532 Stony Hill Road, stated the City of Philadelphia faced a similar situation in 1956 that the Township is facing now. He stated they purchased and had donated a number of properties which formed the basis of the largest inner city park system in the world which is called Fairmount Park. He stated they currently own over 9,200 acres in Philadelphia and have 63 local parks which are all administered by the Fairmount Park Commission. He stated they were visionaries in preserving these aspects of the environment. He stated many of the parks have houses on them and Fairmount Park also has a working farm. He stated he feels the Board of Supervisors needs to be more visionary about what they can do with the property that the Township owns, and they should not be selling off an asset because they do not feel like maintaining it right now, as there are other solutions. He stated the Fairmount Park Historical Preservation Trust has come up with some of these solutions. He stated this is a separate non-profit corporation, and they raise funds from private citizens and get volunteers from the private citizenry to maintain the buildings of Fairmount Park. He stated currently more than half of the buildings that the Fairmount Park Commission owns are in use and generate income more than sufficient to support the buildings themselves.

Mr. Heinz asked if the Board of Supervisors has looked at expanding the jurisdiction and powers of the current Park Board and folding in all the parks and other land that the Township owns. He also asked what is happening with the Brock Creek corridor and Five Mile Woods. He stated possibly juveniles are playing in the neighborhoods because they do not have a local park to go, and maybe there should be a local pocket park there. He stated no one is in charge of this so they have to go to the Board of Supervisors. He stated the Board of Supervisors should delegate the authority to administering these lands to a single Commission who is in charge of dealing with all of these issues for the Board, renting out the houses and barns on the Satterthwaite property, and all the other places and making them profitable. He stated they should also rent out the Dalgewicz farm house and make it profitable and administer all the shade trees that are falling apart down Edgewood Road.

Mr. Heinz stated he feels the Board is rushing to judgment on this particular issue, and has not explored other options such as expanding authority. He stated while the Board has had suggestions on what to do with the property in the past, they never gave anyone the authority to act on the suggestions which had been made about the use for this property. He stated the Board of Supervisors should be more proactive in not only administering this Farm, but looking at all the properties and dealing with all of those issues through a Commission or expanding the Park & Recreation Board.

Mr. Heinz stated Mr. Patterson did have the opportunity to sell this property piecemeal and subdivide off the Satterthwaite parcel and sell the open land to Farmland Preservation, but Farmland Preservation did not want the houses. He stated Mr. Patterson therefore decided that he was not going to sell the land to Farmland Preservation. He stated he could also have sold the property to the Historical Conservancy for Bucks County but opted not to go that route. He stated he opted to put his trust in the Township Government and asked them to make wise decisions about the future not only for this property but for all the Township properties; and he trusted the Board to make the proper decision. Mr. Heinz stated the proper decision is to wait a little bit and explore other options.

Mr. Heinz stated he had the opportunity to look at the Deed, and he understands that the proposed Subdivision is 5.14 acres. He stated the Deed of Acquisition from the Township has a use clause as part of the Deed which lists: "Agricultural and horticultural uses; active and passive recreation; and open space except the Township may subdivide for the purpose of selling certain existing improvements" (i.e. buildings) "to third parties subject to restrictions that any parcel created shall not be future subdivided and the parcel shall not exceed 5 acres." Mr. Heinz stated the fact that they are considering a proposal of 5.14 acres puts them in direct contravention of the Deed of Acquisition; and he urged that they at the very least, reconsider that portion of the Motion.

Mr. Truelove stated those restrictions were only enforceable during the lives of the Grantors.

Ms. Sue Herman stated she agrees with Ms. Doan that if they subdivide the property and sell the house, they are on a “slippery slope;” and the Farm will not have the value and the interest to the farmers that it has today. She stated this property is a treasure for the Township, and she feels they are lacking leaders who are willing to market what it could be. She asked why they could not mobilize the community to do the same thing with the Satterthwaite House that the Artists of Yardley did with the other home on the property. Ms. Herman stated she would be willing to be part of a task force and stated they need advocates from the leadership who would be willing to promote it and help market it.

Mr. Smith stated the Historical Commission opposes what has been done by the Artists of Yardley. He stated one of their members was upset that they had planted flowers there. He stated the Board does have a vision for the property, and he feels it is a good vision. He stated the Board is empowered to make these decisions, and they feel it is a good decision for everyone in the Township. He stated currently the property is a disgrace to the Township, and they are trying to correct this problem.

Ms. Herman stated they are losing possession of the property with this solution, and she is asking if there are any leaders who would like to advocate for turning it around even if it is at a cost of \$40 per household; and they should see if people are willing to pay this along with promoting the value of it to the community. She stated in the future they may be able to have a Howell-type Farm on the property although it may not be possible in today’s economy. Mr. Smith stated that option was considered, and they found that the Howell Farm costs a huge amount of money, and they cannot afford it. Ms. Herman stated while they may not be able to do that, with advocacy among the leadership and an outreach to the community, there may be something that can be done. She stated she would like the Board to pursue this before taking the step being considered.

Ms. Doan volunteered her Patterson Farm Preservation Website, and stated she would be willing to start a movement to preserve Satterthwaite and keep the Farm intact; and she would be willing to head up the effort. She stated her father still has a passion for this Farm and a lot of innovative ideas. She stated the Farm was never maintained the way it should have been, it has been ignored, and there was no reason that the barn needed a \$200,000 roof when it leaked for years and one beam could have been repaired, and the water would not have pooled and made the roof collapse. She stated with regard to the Satterthwaite House, the roof leaked for seven years. She stated her Aunt and her family lived in that house and had to put buckets underneath the roof because there was no activity from the Township to repair the roof that they knew leaked. She stated they need a commitment for the Farm. She stated if the Board and Township Manager do not want to act, they are fine with that; but the public is here saying they want the Farm.

Ms. Doan commented on a farming publication which is read by 55,000 throughout the northeast section of the United States that had put this Farm on their front page. She stated if no one on the Board wants to preserve the Farm, they should stay away from it. She stated the community wants it and the citizens of the community feel the Supervisors come and go and “do their damage,” and move out of the area. She stated the life-long residents have to suffer for the decisions that are made. She stated the Board is making the wrong decision. Ms. Doan stated Mr. Patterson gave the community \$20 million worth of farmland. Mr. Maloney stated he accepted millions of dollars for the property.

Ms. Doan stated the Board works for the people, and they are servants of the public. She stated once the Farm is gone, they cannot get it back. She stated there is an agricultural component of the citizenship, but a lot of them do not come to the meeting because they are “so disgusted” at not being heard. She asked that the Board not make an irreversible decision.

Ms. Roseanne Friehs, Historical Commission, stated they attended the Planning Commission meeting and voiced their concern about the sale of the 5.14 acres. She stated the Historical Commission opposes the sale, and she personally asked why they cannot lease the 5.14 acres instead of selling it outright so that the Township could maintain the Patterson Farm as a whole. She stated they have heard that the Artists of Yardley have done a passable job with their Lease for the Janney/Brown House, and she asked if the Satterthwaite House could not be leased out as well.

Mr. Stainthorpe stated they have not made a determination whether to sell or lease, and they said this up front two years ago. He stated they have to subdivide it if they are going to lease it, and they are not putting it up for sale tonight. Mr. Stainthorpe stated they may lease or sell it and neither option has been taken off the table. He stated at this point they do not know all the interested parties who may come forward. He stated before anything can happen, this parcel needs to be subdivided out. He stated they first discussed this at the Planning Commission in 2003 so they have not rushed into this.

Ms. Friehs asked why the Township only had one appraisal of the property. She stated the Historical Commission disputes this low appraisal of the house of \$265,000. She stated normally there are three appraisals or bids in standard business practices. Mr. Stainthorpe stated the law requires that they get a qualified appraiser to make an appraisal according to the MPC. Ms. Friehs stated the Historical Commission feels this is prime real estate.

Mr. McLaughlin stated the \$265,000 is net of all the repairs that are required for the building and the \$265,000 was “as is.” He stated they estimated the known repairs to be between \$400,000 and \$600,000 to get it to a livable standard; and if they wanted to get it to historical condition, it would be almost \$1 million. He stated he feels this shows the level of disrepair that the house is in.

Ms. Friehs asked how water and sewer will be handled in the Subdivision.

Mr. Fedorchak stated they cannot answer this at this time. Ms. Friehs asked if the Traffic Commission has weighed in on the fact that there needs to be access to the Patterson Farm because the Subdivision of the 5.14 acres will take out the roadway, and a new road will have to be constructed to have access to the leaf storage and the buildings.

Mr. Maloney stated any potential sale or lease could contemplate an Agreement to use the driveways mutually. He stated this would be considered once they move past the Subdivision and get into the lease or sale, and they would decide what arrangements they will set up with the potential third party.

Ms. Helen Heinz, 1355 Edgewood road, stated it is disheartening to hear the Board say that this is the fault of the Historic Commission. She stated she has been a member of the Historic Commission for over twenty-five years, and she takes this personally. None of the Board members indicated that this is what was said.

Ms. Heinz stated it was also disingenuous that the Planning Commission was handed the numbers which were from 1998 or 2003, and there have been no new estimates on the repairs to the House. She stated the National Register designation and Department of Interior Standards are recommendations for repairs; and the repairs that were suggested by those lists including totally ripping out the entire structure of the first floor and rebuilding it is expressly against National Register standards for repair. She stated there were things in the report that were inflated and “crazy.” She stated they were also historically incorrect. Ms. Heinz stated in this market, she would estimate that the estimates should be going in the opposite direction. She stated a lot of the work necessary to be done is hand work, and in this environment and economy it would mean employment for people to work on the house. She stated she feels because of the state of the contractors in the Township, it would be at a reduced cost.

Mr. Smith asked if she is indicating that it would cost less today to repair and put this property in proper condition than from an estimate that took place in 1998, and Ms. Heinz stated this is absolutely correct. She stated they have also already spent \$230,000 on the property, and that was not removed from the list that was handed to the Planning Commission. She stated the Planning Commission made a decision based on false numbers.

Ms. Heinz stated the 5.14 acres is a “red flag,” and it means that it will trigger all of the Special Exceptions under R-1. She stated they should not do this even if they are going to lease it, and it should be restricted to 4.5 acres and not 5.1 since it will mean that in the future a person will not be living in the house. She stated the house is supposed to be a residence, and she has told the Board that the best use of an old house is to have someone living in it and not to be an office, a dormitory, or a public meeting house which much meet high standards. She stated if this becomes any kind of a commercial enterprise, it will trigger for the house standards that will destroy the fabric of the house. She stated

they would have to put in sprinklers, handicapped bathrooms, etc; and this will destroy anything that has to do with historic preservation, and they will not be preserving this National Register property if it is above 5.1 acres. She stated National Register does nothing for a property except for giving it that added caveat when you sell it. She stated if they subdivide it now, she can guarantee that the house will not make the National Register. She stated the only reason the house was deemed eligible for the National Register was because it was part of one of the two homesteads that were the center of this parcel from the time of William Penn. She stated if they put this on a five acre piece or less, it will not be eligible for the Historic Register. Ms. Heinz stated in 1998 the Board of Supervisors asked Jeff Marshall to get the property Registered, and it never happened. Ms. Heinz stated being deemed eligible triggered the loans that they got from the PHMC; and if they put the Satterthwaite House on this little piece, they will have separated it from its land and a private homeowner will not be able to get National Register Certification.

Mr. Tom Conoscenti, 1595 Ginkgo Lane, stated not previously considered was the effect of a low market appraisal. He stated this will serve as a comp for all the properties in Mirror Lake and Willow Wisp Subdivisions. He stated he feels those homeowners will rush to Doylestown to get relief, and this will have an adverse impact on Township tax revenues. He urged the Board of Supervisors to consider other options.

Mr. Maloney stated he is bothered that comments have been made that there has not been any vision or leadership; and he feels they have devoted their energies into the Janney/Brown section of the Farm given the fact that they felt the resources the Township had at their disposal were much better used revitalizing that section. He stated they have limited resources, and they are doing the best they can with those resources. He stated they cannot do it all, and they have decided that they will need some help for this part of the land. He stated he feels they should go forward and explore the opportunities with a potential buyer or lessee of the property.

Mr. Smith stated he agrees with Mr. Maloney and encouraged everyone to go to the Janney/Brown House and see what they have done in the last six months to a year. He stated at this time they are having a photography show. He stated they have done a lot with the house at great expense to their organization. Mr. Smith stated the property came to the Township thirteen years ago. He stated the Stakeholders Plan came up with some ideas, and the Board is trying to act upon their vision of what the property should be.

Motion carried unanimously.

DISCUSSION AND MOTION ON USE OF ELM LOWNE FUNDS

Mr. Fedorchak stated the Township sold the property for \$679,000, and they had \$416,720 left on the debt service, so there is a net of \$262,280.

Mr. Stainthorpe stated the Citizens Budget Commission had suggested that some or all of this money should be allocated to road repaving as there was a feeling at Budget time that they “shorted” that Budget, but he does not recall the amount they “shorted” it by.

Mr. Maloney stated he feels they budgeted approximately \$300,000, and the Plan was for \$600,000. Mr. Fedorchak stated he believes they budgeted approximately \$255,000. He stated he just received the Liquid Fuels allocation, and they received \$20,000 over what was budgeted. He stated they could devote approximately \$275,000 to road resurfacing for 2011. This is what is in the Budget now before anything is done with the funds from the sale of Elm Lowne. He agreed with Mr. Maloney that the amount they felt should have been budgeted was \$600,000.

Mr. McLaughlin stated he feels the proceeds should be allocated back to what they need. He stated he is aware that they overspent the snow removal fund quite substantially. He stated he would like to see the Budget replenished to the amount they overspent with regard to snow removal, and put the balance into the road program.

Mr. Caiola stated he agrees they need to cover funds spent for snow removal and to get closer to maintaining the road repaving schedule they had set out.

Mr. Stainthorpe moved and Mr. McLaughlin seconded to use the amount needed to balance the snow removal budget and the balance of the \$262,280 go into the Paving Fund.

Mr. Maloney asked the amount they overspent on snow removal; and Mr. Fedorchak stated he would have to get a hard number of this, and he was going to provide a Quarterly Report in two weeks. Mr. McLaughlin stated at the last meeting, he believes they were told it was \$120,000. Mr. Maloney stated this would leave approximately \$150,000 toward the road paving program. Mr. Maloney stated this would result in \$425,000 toward a plan of \$600,000 for road repaving. Mr. Fedorchak stated he had reported that quite possibly the General Fund will end up with a higher end of year balance than what they had Budgeted. Mr. McLaughlin stated if they are over at the end of the year, they could use that toward next year’s road improvements.

Ms. Donna Doan asked the amount of the appraisal for Elm Lowne, and Mr. McLaughlin stated it was \$900,000. Mr. Fedorchak stated the first round of bidding yielded one bid of \$530,000 which was subsequently withdrawn. The property was sold after the second round of bidding for \$679,000. Mr. Fedorchak stated they received two bids during the second round - one at \$679,000 and the other at \$665,000. Mr. Maloney stated this is

real market data as opposed to speculation. Ms. Doan asked if this appraisal was required by the mortgage company, and Mr. McLaughlin stated the Township was required to get an appraisal. Mr. Stainthorpe stated the Township can only sell property through a public auction or bidding process so they have to have an appraisal done first. Ms. Doan asked why they accepted the \$679,000 bid; and Mr. McLaughlin stated they did so because they had two rounds of bidding and it was nowhere close to the \$900,000 appraisal. Ms. Doan asked if they feel the taxpayers are happy that the Township sold this for less than the appraised value; and Mr. McLaughlin stated the worth was not what was indicated as no one was willing to buy it for \$900,000. Mr. Caiola stated he knows that the neighboring residents were happy that the property was sold. Ms Doan asked if there is not a rule that if the Township sells a property for less than the appraised value, they should make up the difference to the taxpayers; and it was noted that there is not. Mr. Maloney stated an appraised value is just someone's guess as to what something is worth. Mr. Maloney stated that matter has been settled, and they are now just discussing what to do with the funds.

Ms. Doan asked if it was on the multiple listing, and Mr. Stainthorpe stated they are required to advertise it and accept sealed bids. Mr. Fedorchak stated they did enlist the assistance of the real estate community in advertising the property.

Mr. McLaughlin stated Ms. Doan could consider this in the bidding process for the Satterthwaite property, as it would be open to Ms. Doan and her family to bid on.

Ms. Doan asked about the possibility of the Elm Lowne proceeds going to the Dalgewicz family who have been waiting for their money, and Mr. Caiola stated this is not a possibility. Ms. Doan asked if they have an account set aside for that matter or will it come to the Township as a request for one lump sum, and the Township will have to determine where they will get the money. Mr. Truelove stated there is no obligation now because there is still an Appeal. He stated the Township does have some contingency plans; but because it is a matter of litigation, they are not ready to discuss this openly at this time. He stated it is possible that it could be remanded for a trial. Mr. Maloney stated they have always held that the costs for the Golf Course would be borne by the Course and not the taxpayers.

Ms. Doan asked if the Golf Course has a great year, does the money go back to the taxpayers, and Mr. Stainthorpe stated it does not. Mr. Stainthorpe stated it stays in the Golf Fund, which is a Township fund and used only for the Golf Course. He stated at such a point in time when the bonds are actually paid off, and there is no longer debt, they then have the option to do what they want with the money; and it could come back to the Township, and he would expect that a sizable amount of it will.

Mr. Zachary Rubin, 1661 Covington Road, stated according to the Township Manager they have approximately \$275,000 for this fiscal year to do road repairs and infrastructure; and Mr. Fedorchak agreed. Mr. Rubin stated if they also take the \$262,280 and apply it toward infrastructure, this still leaves approximately \$63,000 short of the estimate of \$600,000 on the ten year Plan. Mr. Rubin stated the Township overspent approximately \$120,000 for snow removal; and if they pay this, they would be \$175,000 short of the \$600,000 projection. Mr. Rubin asked if the Township is going to do the \$600,000 worth of infrastructure this year and have a deficit or only do what they can with the funds they have, and those roads will be neglected this year and addressed in next year's Budget. Mr. Stainthorpe stated this is correct.

Mr. Joe Menard, Citizens Budget Commission, stated he understands there was a shortfall because of the snow fall. He stated Mr. Fedorchak has indicated that the surplus from last year is coming in higher than anticipated in the Budget. Mr. Menard suggested that they fund the \$600,000 out of the surplus and also take care of the shortfall for the snow removal. He stated the average over the next ten years for road repairs is \$800,000; so by only doing \$600,000 this year, on average, they are already starting out \$200,000 "in the hole." Mr. Stainthorpe stated he has no objection to doing this once they know what the surplus actually is.

Mr. McLaughlin stated they do not know what the transfer taxes will yield for the rest of the year; and there could be a period where they have no sales, and they will then have spent something but they do not have the revenue side matching it. He suggested they wait until they see where they are closer to the end of the year. He stated he would not want to commit to spending all of this money and potentially jeopardize Safe Harbor. Mr. Maloney stated he does not feel changing this would have any bearing on Safe Harbor because Safe Harbor is defined by the Budget that is set at the beginning of the year. Mr. McLaughlin stated he was thinking about next year. Mr. Menard stated next year they will be making it a \$400,000 problem since it was not addressed properly at the time they did the Budget. Mr. McLaughlin stated they properly considered this with all other factors, and made a decision although Mr. Menard may disagree with the decision that was made.

Mr. Maloney stated he feels the full amount should be spent on the road program and paving roads should not be up for discussion as one of the things they do or not do as he does not feel it is discretionary.

Mr. Alan Dresser stated he feels they should use this money for additional open space acquisition. He stated in 1998 the Township passed a Referendum that approved \$7.5 million for open space, and he feels people are interested in open space. He stated in 1999 \$680,000 of that \$7.5 million of open space money was used to buy Elm Lowne. He stated now twelve years later, they are selling it for about the same amount.

Mr. Smith stated the open space has not disappeared, and Elm Lowne is still there although it is not owned by the Township. He stated the Township has identified many of the parcels left in the Township. He stated they are now considering where they should put these funds – into road repairs, General Fund, open space, etc.; and the Board has to make this decision. Mr. Smith stated people are also concerned about the infrastructure in the Township.

Mr. Dresser stated since this was open space money and it has come back in, he feels the people wanted it to be used for open space. He stated open space helps the environment, reduces local flooding, increases property values, and keeps property taxes lower since you do not need as many services for open space. He stated he feels this is a better use of the funds than paving roads.

Mr. Smith stated the Board does have the ability to go out and borrow money to purchase open space. He stated this is one of the hard choices the Board needs to make.

Mr. Dresser stated this is the third parcel that the Township has sold off if you include the Satterthwaite House, and he feels they are moving in the wrong direction.

Mr. Dresser asked Mr. Truelove if he is familiar with the Pennsylvania Donated and Dedicated Property Act which he has discussed with the Bucks County Open Space Coordinator. Mr. Truelove stated he is familiar with the Act and could look into how it impacts this situation.

Mr. Caiola asked Mr. Fedorchak what portion of the snow expenses took place in 2010 and what portion was in 2011. Mr. Fedorchak stated he could provide these exact figures to the Board.

Mr. Harold Koopersmith stated in the next five to ten years the Country is going to go through a restructuring that most people are not going to accept, although it will be necessary. He stated the Board of Supervisors is correct in being conservative in their approach to governing the residents; and they should not be dissuaded by people coming to the Board with discretionary wants, because the Township does not have the money. He stated he does feel they have to pave the roads.

There was further discussion on the cost of the snow storms. Mr. Fedorchak stated they finished 2010 with a huge storm and it continued in January and February. He stated the last storm of 2010 did fall into the 2010 Budget.

Mr. Maloney stated they passed a Budget in December that called for a certain amount to be spent on a number of items including snow removal, and this was overspent by \$120,000. He stated he feels that is an event that is outside of their control; and while they know they are over in that part of the Budget, he feels because spending the

\$260,000 on the roads is not frivolous, it is worth letting the Budget stay \$120,000 over and running that against the surplus rather than not paving the roads. He stated to the extent that they do not go more into the road plan and get more allocated to that, they are going to end up facing this in next year's Budget. He stated he does not feel that any of these are monies that would be considered discretionary.

Mr. Caiola stated he feels all of the Board members feel both of these are pressing needs, but they need to decide what to put where.

Motion did not carry as Mr. McLaughlin and Mr. Stainthorpe were in favor and Mr. Caiola, Mr. Maloney, and Mr. Smith were opposed.

Mr. Maloney moved and Mr. Smith seconded that the full proceeds of \$262,000 estimated and to be finalized by Mr. Fedorchak be spent entirely on the road paving program as it applies in the original Master Plan Mr. Majewski submitted last year.

Mr. Smith stated he feels there is still time to address the snow removal problem, and they should take care of the roads first.

Motion carried with Mr. Caiola, Mr. Maloney and Mr. Smith in favor and Mr. McLaughlin and Mr. Stainthorpe opposed.

DISCUSSION AND APPROVAL OF STIPULATION AND AGREEMENT IN SCAMMELL'S CORNER MATTER

Mr. Truelove reviewed the history of this property which has been in Court for approximately sixteen years and began with tree removal. He stated the case is still in Court, and the property has gone through a number of different owners. He stated the Quaker Group is now the owner of the property and has submitted a Concept Plan which has been reviewed by Mr. Majewski who has worked with the Quaker Group to refine it. It has also been reviewed by the EAC and other groups.

Mr. Truelove stated the purpose of the Stipulation and Agreement is to solidify that this is the Plan that will conceptually go forward to Land Development and will settle the litigation. Mr. Truelove stated surrounding residents were present at the Planning Commission meeting last week when the Planning Commission reviewed this, and seemed to generally be pleased. They were advised that they will still be able to address issues during the Land Development process including concerns about water run off. Mr. Truelove stated the proposed Stipulation Agreement has been reviewed by his office as well as by Mr. Majewski, and Ms. Frick; and they believe that it is an appropriate document to agree to enter into for settlement. He stated this will save the Township money in terms of potential litigation, and solidify the fact that this is a project of

seventeen lots which he feels is as good as they will get with all the engineering aspects that Mr. Majewski has worked hard on obtaining from the Quaker Group as part of the discussions. He stated the Quaker Group has also agreed to pay the fees going forward with the 2011 Fee Schedule that was enacted in February.

Mr. Majewski stated the Settlement Agreement allows Quaker to build up to sixteen new building lots on the property. He stated although a buffer is not required between residentially-zoned properties, in consideration for the amount of trees that were taken down by a previous owner before Quaker Group bought the property, they would agree to provide a buffer to the adjoining property owners. He stated within this buffer they would maintain as many of the existing trees as possible that are healthy and worthy of being saved; and to the extent that they have to take down trees that are diseased, dying, or unsuitable to be in a wooded area, they would supplement the buffer with new evergreen and deciduous trees in accordance with a Type II Buffer that is in the Township Ordinance. He stated this would provide a better shield between the property owners surrounding the property and the new homes.

Mr. Majewski stated the buffer trees would be located within a resource-protected area within an easement from which tree removal would not be allowed without permission from the Township. He stated the setback to the houses is measured from the edge of the buffer so that all of the houses would have a 45' clear rear yard between the maximum extent of the rear of the house and where the tree protection line is; and in this 45' area, this would allow a homeowner to put in a shed, swing set, etc. without having to go into the treed area that is to be preserved.

Mr. Majewski stated consideration of stormwater was a major concern, and this is addressed in the Stipulation Agreement; and they will take every practical measure to comply with low-impact development and the Pennsylvania Best Management Practices.

Mr. Smith stated most of the residents at the Planning Commission were happy with the Plan as proposed and their main concern was with stormwater management. He stated the neighbors in attendance received the assurances they were looking for.

Mr. McLaughlin moved and Mr. Stainthorpe seconded to approve the Stipulation and Agreement in Scammell's Corner as discussed.

Ms. Virginia Torbert stated part of the Stipulation Agreement is that the developer does not have to make road improvements; and while she understands this, she is concerned that the developer is going to construct a sidewalk down to University Drive, although she is unsure where it is going to start. Mr. Majewski stated there is an existing sidewalk located on Newtown-Yardley Road at the edge of the property, and this sidewalk will be continued down and around the property along West Afton Avenue connecting back into the existing sidewalk on University Drive so that there will be a continuous loop around

the outside of the property in the neighborhood. Ms. Torbert stated she is sure that this development will be marketed as “a couple minute’s walk to Yardley;” but the sidewalk will end at University; and people will continue walking down Afton on the side of the road which is what happens now. She stated long-range, she feels the Township needs to be working with Yardley Borough on extending the sidewalk, although she is not stating that this developer should pay for this. She stated she is concerned about safety in this area. She stated since the Township line only goes a bit further, possibly Yardley could apply for a Grant if they do not have the funds to extend the sidewalk. She stated hopefully there could be regional cooperation adding that Yardley did get a Grant to extend another sidewalk.

Mr. Smith asked if they have a Traffic Commission in Yardley Borough similar to Lower Makefield’s Citizens Traffic Commission, but Ms. Torbert did not know. Mr. Smith stated at the appropriate time the Township Manager could reach out to them about this issue.

Mr. Bob Scammell stated four generations of his family lived on this property and when they left twenty-five years ago, the Scammell Estate was “pristine park,” and it was the “gem of the Township” when they left the property. He stated the Scammell family had nothing to do with the decline of the property over the last twenty-five years. Mr. Scammell stated he is pleased to hear that a settlement has been made and it will once again be the gemstone of the County.

Ms. Helen Heinz stated Mr. Scammell had asked her if the old house was going to stay; and at the Planning Commission meeting, the Quaker Group had indicated that the old house would stay along with the out kitchen. She stated she indicated to them that the Historical Commission would be willing to work with them on things to do for the house.

Motion carried unanimously.

DISCUSSION AND APPROVAL OF WAIVER OF LAND DEVELOPMENT TO UPGRADE PARKING AREA AT THE GRANGE HALL, 1669 EDGEWOOD ROAD

Mr. McLaughlin moved and Mr. Maloney seconded to approve the Wavier of Land Development to upgrade the parking area at the Grange Hall.

Mr. Kurt Rittler, engineer, was present with the owner of the property, Mr. Thomas Covalcheck. Mr. Ritter stated they are requesting consideration of formal Land Development procedures for what they feel is a fairly simple project. Mr. Rittler stated they are considering putting in about 6,700 square feet of porous paving to provide supplemental parking up to twenty-two spaces which is what the Ordinance would require for an office space of the size of the Grange Hall. He stated they are also

proposing to put in a handicap ramp shown in pink on the Plan to provide handicap access to the building as currently there is no handicap access. He stated they are also proposing to put in some low-intensity site lighting similar to what is to be installed at Edgewood Crossing. Mr. Rittler stated they also propose landscaping consistent with what the SALDO requests, and added they are going to preserve the very large tree which is to the east of the building. The paving will go around the tree so that it will not disturb the tree.

Mr. Covalcheck stated he owns the building with his brother and has been a Township resident for over thirty-five years. He asked that the Board consider this proposal since it is important that they get handicap access as they have people in the building; and he feels the best use for the building is for an office which is the current use. He stated as an office space it is severely lacking in available parking. He stated they have spent a considerable amount of money on the building already including redoing the roof, adding that the outside of the building has been neglected for the last ten years. He stated they still need to invest a lot more money including historic windows which are rather expensive. He stated with Budget costs in mind, if they have to go through full Land Development, it would become very expensive to fix the building to what it should be. He stated it is Zoned Historic/Commercial, and they are below the impervious surface in terms of their proposal. He stated currently there are seven parking spaces; and if they were to put in handicap access to the building, this would take two parking spaces away which would leave five spaces for a building that should have twenty-two spaces by Code. He stated currently they have an Agreement with the Church behind them that gives them adequate parking; however, the Church cannot enter into a long-term Agreement with them, and they have a month-to-month arrangement with a three-month notice if they wish to terminate.

Mr. Smith asked if they agree to the Waivers, if needed, and if available, would the Township be able to avail itself of the parking for Veterans Square, and Mr. Covalcheck stated they would. He stated there are already people using their parking spaces now for the Farmer's Market. He stated they also have no problem sharing the space with the Church which they do now. He stated the Church is a great neighbor; but due to restrictions, the Church is unable to sign a long-term arrangement, and this precludes him from getting long-term clients as no one wants to come into the building if there is an unknown parking situation going forward.

Mr. Smith thanked him for allowing them to use their parking for Veteran's Square.

Mr. Stainthorpe asked Mr. Majewski if there is any reason why they should not agree to the Waiver; and Mr. Majewski stated conceptually it looks acceptable, but he feels it should have a more in-depth review by his office and the traffic engineer to make sure there is no problem with access in and out, circulation, and handicap accessibility. He stated a possible Condition could be that they would be responsible for the payment of

any fees incurred in the review of the parking lay out, access management, and the stormwater management facilities. He estimated this cost to be \$1,500.

There was discussion about access between the Church and this property and safety of the children from the Day School in the parking lot, and the Church had asked that they block off this access; however, Mr. Majewski stated in order to maintain a secondary means of access to the Church parking lot, it might be good to maintain this as an emergency access in something other than pavement so that it could not be used regularly as a drive through. He stated this portion could be put in grass pavers so that in the event of an emergency and the entrance to the Church were blocked off for some reason, they could come through the Grange Hall parking lot and go over the grass pavers on a surface that could be driven over to get back into the parking lot of the Church. This was acceptable to Mr. Covalcheck.

Mr. Stainthorpe stated what has been suggested is that the Plans would still be reviewed by Mr. Majewski and Ms. Frick but they would not have to go through the formal process going before the Planning Commission and the Board of Supervisors for a vote.

Mr. Rittler stated they are also looking to have waived the requirement not only to go through the process but also the preparation of all the typical documentation that would go into a Land Development. Mr. Majewski stated he would have to look at the Plan they have submitted in more detail; but stated it does seem to be sufficient.

Mr. Covalcheck stated they do have a fixed Budget and the full process would put an onerous burden on them for what he feels is a simple project. He stated they are not going to expand the size of the building, but the building has requirements that were not previously addressed. He stated they are trying to put the property into a usable condition; and if they had to go through a full planning process with traffic studies, stormwater management, planting, etc. it becomes cost prohibitive.

Mr. McLaughlin moved to amend the Motion subject to review and approval by the Township engineer and Conditioned on payment of fees incurred in review of the parking lay-out, access management, and stormwater management facilities with an estimated escrow of \$1,500. Mr. Maloney agreed to second the Amendment, and the Motion as amended carried unanimously.

GRANT CERTIFICATE OF APPROPRIATENESS FOR SIGNS AT THE NEW FIRST FEDERAL OF BUCKS COUNTY BANK TO BE LOCATED IN EDGEWOOD VILLAGE

Mr. Stainthorpe moved, Mr. McLaughlin seconded and it was unanimously carried to grant the Certificate of Appropriateness.

ZONING HEARING BOARD MATTERS

With regard to the Joshua and Karen Kuntz, 1852 Inverness Drive, Variance request to construct a fence within the drainage easement, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Gary and Danielle Abrahams, 1483 Revere Drive, Variance request to construct an in-ground swimming pool resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

SUPERVISORS' REPORTS

Mr. McLaughlin noted the upcoming Veteran's Committee fundraiser event to be held tomorrow evening at 7:00 p.m. at the Yardley Inn.

OTHER BUSINESS

Chief Coluzzi asked for approval to move forward with the hire of Michael Forrest pending his successful completion of the psychological and medical examination. He noted his start date would be July, 2011.

Mr. McLaughlin moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the hire of Michael Forrest as Police Officer with start date of July, 2011.

There being no further business, Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to adjourn the meeting at 11:05 p.m.

Respectfully Submitted,

Ron Smith, Secretary

