

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JUNE 15, 2011

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on June 15, 2011. Chairman Caiola called the meeting to order at 7:35 p.m. Mr. Smith called the roll.

Those present:

Board of Supervisors: Greg Caiola, 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

Absent: Pete Stainthorpe, Board of Supervisors Vice Chair

PUBLIC COMMENT

Ms. Ellen Saracini was present on behalf of the Garden of Reflection Committee. She stated they are preparing for the 10th Anniversary of 9/11. She stated the original design concept for Memorial Park contemplated an entrance sign, but it was never included in the Budget. She stated at the Park & Recreation Board meeting last evening, they presented to them a proposed entrance sign for Memorial Park, and they would like to have the sign installed in time for the 10th Anniversary. Ms. Saracini stated although there are directional signs on I-95, people are driving past the entrance to the Park. Ms. Saracini provided an informational packet on their concept for the sign. She stated they have been doing fundraising for this, and Mike Smerconish will be hosting a Father's Day Brunch at his home at \$100 per ticket and they have raised over \$14,000 already. Ms. Saracini stated they are also working with a number of vendors about donations.

Ms. Saracini stated they propose to have signs on both sides of the entranceway in front of the trees. She stated they are proposing a 40' wall with lettering as shown in the packet. Ms. Saracini stated the Park & Recreation Board made a Motion to approve the conceptual design. Mr. Maloney stated the Park & Recreation Board suggested that "Lower Makefield Township" be included on the signs, and they also felt that "Memorial Park" should be more prominent than "Garden of Reflection." Mr. Majewski stated there was also discussion as to whether or not there was a need for signs on both sides; and the consensus was that since people do come from both directions to the Park, it would be good to have a sign on both sides. Ms. Saracini stated they also agreed that both signs should have the words "Memorial Park" and "Garden of Reflection."

Ms. Saracini stated she feels in the original design "Memorial Park" was very prominent. She stated the Garden of Reflection is the State and County Memorial. She stated what she had proposed was to have "Memorial Park" in all caps, and "Garden of Reflection" to be in smaller print. Mr. Maloney stated he does feel "Memorial Park" should be the centerpiece of the sign, although it does not have to be in the center of the wall. He stated Memorial Park is more than just the Garden of Reflection Memorial, and they do not want to give the impression that it is just the Memorial as there are many other activities that will be in the Park.

Mr. Smith asked if they want to have this done by September 11, and Ms. Saracini stated they did have this as a target date. She stated they did talk with contractors who indicated July is a slow time, and they would have labor available. She stated she still has to go out and get donations, but she needs to know what they are going to do before she can give specifics to those who would be working on the sign.

Mr. McLaughlin asked the total cost, and Ms. Saracini stated Gasper indicated a retail value of the wall would be \$30,000. Currently they have \$14,000 along with donations of stone, concrete, and she is looking into donations for labor.

Mr. Truelove stated he feels they would need to make a Motion to approve this subject to certain reviews. He stated since earth is going to be moved, they would also have to approve a Waiver of Land Development. Ms. Saracini stated a lot of land will not need to be moved as it will be backfilled behind it. She stated if they do a foundation, the wall would go on top.

Mr. McLaughlin moved and Mr. Smith seconded to approve the Memorial Park entrance wall and sign preliminary lay out subject to engineering and Park & Rec review, and subject to solicitor's review of Plans and professional agreements.

Mr. Maloney stated the expenditure includes cash and donations, and he asked about the bidding issues. Mr. Truelove stated he will have to look into this. He stated if it exceeds \$25,000 and the Township is considered the contractor, they would be subject to prevailing wage so they will need to structure this in such a way that the Township is not the contractor.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, stated she feels this is a fabulous design and it is subjective as to what is more prominent.

Motion carried unanimously.

Ms. Saracini asked who she should work with; and it was agreed that as Park & Recreation liaison, Mr. Maloney should be involved.

Mr. Harold Koopersmith asked about Municipalities operating businesses as a means to enhance revenues. Mr. Caiola stated they have discussed advertising on the Website and other ideas as a way to bring in revenue, but have not acted on it. He stated he feels they should explore other avenues before the commercial route.

Ms. Christa McConaghy, 1350 Apple Blossom Drive, stated she is part of the Lower Makefield Township Neighborhood Watch Association; and she thanked the Police Department and volunteers for their help with the recent shredder event as well as the public for coming out. She stated they filled a truck with 10,000 pounds of shredded material, and they will get a larger truck next year as they had to end the event early. Mr. Caiola stated they have received a lot of positive feedback on this event. Ms. Smith stated he was at the event which was very successful.

A woman residing at 1121 Daffodil Drive, stated the current Ordinance indicates that trash can be picked up beginning at 6:00 a.m., and she asked why they allow trash to be picked up this early. Mr. Caiola stated in the past the collectors were coming even earlier, and there was no time restriction. Mr. Truelove stated currently they are permitted to come beginning 6:00 a.m. during the week and 7:00 a.m. on the weekends. Mr. Caiola stated there are a number of haulers that have to also cover other Townships. He stated during past discussions, they considered trying to get the trash trucks out of the neighborhoods before the School buses came in. Mr. Smith asked how early they are coming, and the resident indicated that it had been between 5:30 a.m. and 6:00 a.m., but after contacting the Township, they have been coming at 6:00 a.m. Mr. Smith asked that the Township be advised if they are coming earlier than the permitted times. Mr. Truelove stated when they discussed this previously they wanted to try to have a balance between the Township and the haulers. He stated they must be reasonable when they try to regulate commerce, and Lower Makefield Township is actually more stringent than other Townships. Mr. McLaughlin asked that the Township Manager send the haulers a letter reminding them of the time restrictions in the Ordinance.

APPROVAL OF MINTUES

Mr. Smith moved, Mr. Maloney seconded and it was unanimously carried to approve the Minutes of June 1, 2011 as written.

APPROVAL OF JUNE 6, 2011 WARRANT LIST AND MAY, 2011 PAYROLL

Mr. McLaughlin moved, Mr. Maloney seconded and it was unanimously carried to approve the June 6, 2011 Warrant List and May, 2011 Payroll as attached to the Minutes.

DISCUSSION OF \$2 MILLION REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM GRANT FOR LOWER MAKEFIELD TOWNSHIP

Ms. Rose Wuenschel was present on behalf of Representative Steve Santarsiero who was unable to attend this evening as he was in Harrisburg. Ms. Wuenschel stated two weeks ago they were present at the Board meeting and advised that the Governor had released the Grant that day. She stated the Township should be receiving the packet of information shortly. Ms. Wuenschel stated the Township can still start beginning the process to move forward. She stated the project has two main focuses – one includes the ball fields at Samost, upgrades to Stoddart and Community Park, and the inclusive playground at Memorial Park. She stated they want to show progress on the inclusive playground at Memorial Park in time for the 10th Anniversary of 9/11. She stated it has also been suggested that the Township should put together a firm plan for the Community Center.

Mr. Caiola stated the Board wants to move forward on both projects as soon as possible. He stated they will begin to put together a Sub-Committee on the Community Center to include one member of the Planning Commission, one member of the Park & Recreation Board, two members representing the Seniors, and one member from the Disabled Persons Advisory Board. Mr. Caiola stated they hope to have this Sub-Committee put together by July if not sooner. Mr. Smith stated they hope the Seniors will provide the names of their members who would serve very quickly so that they can show the State that they are moving ahead. Mr. Maloney stated the task of this Sub-Committee will be, given the objective of trying to locate the Community Center on the Patterson Farm property which is their legal option given the fact that the property represents the Township's matching funds, the Committee should look into both existing and new construction and determine the best potential concept design. They would then bring that back to the Board of Supervisors who will make the final determination on going forward with formal Plans.

Mr. Smith thanked Representative Santarsiero and his office for this help, and Ms. Wuenschel stated they will continue to be available to help the Township.

Ms. Lisa Huchler-Smith, Disabled Persons Advisory Board, stated they are thrilled that the inclusive playground will be started. She stated they have done some work with Ms. Liney, and they will look at other Townships that have already built such playgrounds. She stated Mr. Majewski has already provided some Plans, and they will work with Ms. Saracini as well. Ms. Huchler-Smith stated they will meet on June 28 and they would like to hear from residents who have a disabled child on what they would like to see in this playground. She stated what they are proposing is a playground that would be more serene than some of the other inclusive playgrounds that have been built since they want it to fit in with the character of Memorial Park. Mr. McLaughlin stated he would like to see photographs of inclusive playgrounds that have already been built in the area. Ms. Huchler-Smith stated they do have Sketch Plans already. Mr. Maloney stated that Mr. Majewski and Ms. Liney also have catalogs that they could share with the rest of the Board. Mr. Maloney stated the Park & Recreation Board will be having their Road Tour in July, and they intend to include a visit to Memorial Park to discuss where the playground should be located.

Mr. Frank Fazzalore thanked Mr. Santarsiero and the Board of Supervisors for all of the work that has been done proceeding with the Community Center that he had been working on for fifteen years. He stated this will be a great asset for the community.

Ms. Gail McFadden thanked Mr. Fedorchak, Mr. Santarsiero, and the Board. She stated the Seniors just celebrated their 16th Anniversary, and this is a “dream come true.” She stated they are also going to send a letter of thanks to Governor Corbett. She stated they are looking forward to working on this project, and she feels it will work well as a Senior/Community Center. She advised the Board that she and Mr. Fazzalore will be the representatives for the Seniors on the Sub-Committee.

Mr. Smith commented on all the positive things happening at the Patterson Farm and thanked all the community groups for their work.

Mr. Caiola stated the Seniors have been asking for a Senior Center for many years and have always been cordial, and the Board appreciates their patience.

Mr. Smith stated this Center will provide a place for everyone in the community.

Mr. John Parsons, DeKalb Drive, thanked the Board for moving so quickly on the Grant and thanked State Representative Santarsiero for his hard work. He asked what the process will be for the ball fields. He stated he feels PAA has the most hands-on knowledge; and Mr. Caiola stated this will be handled by Park & Recreation, and PAA should work with them. Mr. Caiola stated they do have Plans which have been discussed for some time.

Mr. Maloney stated there will be other meetings involved including Planning Commission since this is a land-use issue, and PAA should make sure they have representation there as well.

Mr. McLaughlin stated he wants to make sure that PAA has a voice in the process, but noted these are Township assets and are not just there for the sports organizations and are available to all Township residents. He stated they also want to make sure that these are used by the in-house teams and not just the travel team players. He stated they want to make sure there is an equitable sharing of these Township assets. Mr. Smith stated they want to make sure that there are fields available for residents who are not part of an organization. Mr. Caiola stated he feels this expansion of the fields provides this opportunity.

OTHER BUSINESS

Mr. Warren Bauman, 601 A Rose Hollow Drive, expressed concern with ticks and bugs at a catch basin near his home. He stated the grass is not getting cut. Mr. Fedorchak stated they have been working on this matter with the Rose Hollow Board of Directors.

CONTINUED DISCUSSION OF \$2 MILLION REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM GRANT

Mr. Koopersmith stated he understands that there will not be sufficient funds to complete all of the projects being discussed. He stated he understood from a previous meeting that the ball fields would cost \$5 million. Mr. McLaughlin stated this is incorrect, and the \$5 million was to complete the entire Park & Recreation Master Plan. Mr. McLaughlin stated the \$1 million will cover the construction of three ball fields, and the inclusive playground. Mr. Fedorchak stated in addition to this, they will also be able to completely renovate the existing tennis courts and basketball court near the Pool, and this would have cost the taxpayers approximately \$250,000. Mr. McLaughlin stated with respect to the Community Center, the costs may come in higher than \$1 million, and they would then have to look into options as to how to fund the difference. He stated the Committee will be advised that they do have cost restraints. Mr. Koopersmith expressed his concern with communication between the residents and Government as well as his concerns with the Federal Government.

Ms. McFadden stated she has done a lot of research, and there are many other Grants and other areas that they can look to for funding.

PRESENTATION OF 2010 TOWNSHIP AUDIT

Mr. Stanley Booz was present to present the 2010 Township Audit. He noted the packet of information which had been provided to the Township. He noted his opinion of the financial statements on Page 1 which is a “clean opinion.” He noted Page 17 with regard to General Revenues, and he specifically noted Transfer Taxes which increased 25% over the prior year which was approximately \$800,000 in 2009. He stated Page 18 shows Total Fund Balances of \$3.6 million which is \$500,000 less than the Township had the prior year. He stated in 2009, the Township lowered its fund balance by \$1.2 million; but he still feels the Total Fund Balance is substantial and is sufficient to cover expenses.

Mr. Booz noted Page 27 which discusses the Pension funds. He stated the contributions went up \$200,000 last year for the Police Pension and \$80,000 for the Non-Uniform Pension. He stated this will go down next year due to Act 44.

Mr. Booz noted Page 59 which is a comparison of the activity to that which was budgeted. He stated the Total Revenues had a positive variance, and the Township came in at \$400,000 more than was budgeted. He stated expenditures had a negative variance, and the Township expected to spend \$8.9 million, but spent \$9.4 million. He stated the net difference was an \$116,000 unfavorable variance. He stated this is not surprising given the difficult economy.

Mr. McLaughlin stated the two overages in Expenses were General Government and Public Safety which he feels are higher than he anticipated. He asked the major causes for the \$366,000 overage in General Government and \$305,000 overage in Public Safety. Mr. Fedorchak stated with respect to General Government, he feels it would be Professional Fees, and he would have to check into the increase in Public Safety. Mr. Maloney asked if the Professional Fees includes the fees which the Township is reimbursed for, and Mr. Rich Shelly, who did the field work, stated it is a combination of General Fund and other Funds, and it would require research to pinpoint the differences. Mr. Fedorchak stated it appears that this is a combination of a variety of funds, and it does appear that some of this would be development professional fees that would be reimbursed. Mr. Maloney stated if this includes developer-related items, they would see a revenue in the revenue line and an expense in the expense line which would be offset, and Mr. Fedorchak agreed.

Mr. McLaughlin stated he feels the Fund Balance is the ultimate barometer of what he looks at, and he wants it to be a healthy amount. He stated he is surprised by how much they exceeded the Budget on the expense side. He stated he recognizes that unexpected events such as the snow storms impacts this; however, going forward he feels they need to get close to what has been Budgeted, and if they are not close, that there be a real understanding of why. He stated he feels they were saved by overages in revenue.

Mr. Maloney stated they should recognize that there are some increased expenses which are really pass-through expenses. Mr. Maloney stated what they are seeing is not much different than what was in the Budget in the fall, but they are seeing it displayed in a different way. Mr. McLaughlin stated they need to make sure they are managing the expenses. He showed Mr. Fedorchak a form he would like to see used when the quarterly numbers are presented. Mr. Fedorchak stated he could develop a schedule that ties into the line items.

Mr. McLaughlin noted Page 63, and he asked if the Township is grossly behind in the Pension obligations; and Mr. Booz stated he feels it is just the “ebb and flow” of markets. He noted the problems with the market in 2008 and 2009, and stated he feels the market will come back. Mr. Fedorchak stated Public Sector Pensions in the State of Pennsylvania are governed by Act 205 which is very strict and requires that an actuarial valuation be performed once every two years so that there is a “snapshot” every two years of the financial position of the Pension Funds. He stated from that is developed what is the Township’s annual financial obligation to properly and fully fund the Pensions. He stated this is why they are seeing three years ago the Township was spending a total of \$500,000 which then increased two years ago because the actuarial valuation captured the complete “down” of the market. The annual obligation then increased from \$500,000 to \$800,000. He stated they need to properly fund this in order to maintain eligibility for the State Pension aid. He stated the Township receives approximately \$325,000 from the State. He stated this year, the Township should be paying out approximately \$750,000 which will be offset by a \$325,000 State Grant so that the net cost to the Budget would be approximately \$350,000.

Mr. McLaughlin stated this is 2009 data, and he asked if the Township has closed the gap, and Mr. Fedorchak stated they have. Mr. McLaughlin asked for an estimation of what the assets are valued at in terms of the Pension Fund, but Mr. Fedorchak could not provide this exact information at this time. Mr. Maloney stated he feels it is fair to assume that the asset values on pure growth alone have appreciated in the range of 15% to 20%, and Mr. Fedorchak agreed. Mr. Maloney stated these are thirty to forty year obligations which fluctuate over long periods of time.

Mr. Smith asked Mr. Booz how Lower Makefield compares to other Municipalities he audits, and Mr. Booz stated he feels Lower Makefield is well funded. He stated a number of other Townships have an earned income tax; and with many people out of work, this has hurt them. He stated Lower Makefield has a good Fund Balance. He stated Lower Makefield Township also has a strong tax base. Mr. Smith stated they have also remained above Safe Harbor.

Mr. Booz stated they enjoyed working with the Township and stated Mr. Fedorchak does a good job.

Mr. Joe Menard, Citizens Budget Committee, noted the Fund Balance of \$3.6 million on Page 18, and he asked if this is a consolidated Fund Balance. Mr. Booz stated this does not include the Sewer. Mr. Shelly stated the Sewer Fund, Pool, and the Golf Course are separate and are included on Page 22. Mr. Menard stated the Citizens Budget Committee will work on something to share with the Board which he feels will eliminate the confusion as to the numbers.

Mr. Tim Malloy, 1902 Makefield Road, stated there was a tremendous pressure on revenues that was experienced last year including drop in transfer taxes, drop in home values, interest income losses, and loss of many Grants. He applauded the Board for holding the line on taxes and reducing spending to keep the Township in Safe Harbor and manage the debt. He asked that they continue to do this moving forward.

OTHER BUSINESS

Mr. Truelove stated the Board met in Executive Session starting at 7:00 p.m. and discussed real estate and litigation.

STATUS REPORT ON PATTERSON FARM BID/SALE DOCUMENTS

Mr. Truelove stated they are not yet ready to present anything at this time as it is a complicated and important issue. He stated they have done a substantial amount of work drafting conceptual ideas including the description of the Satterthwaite Farmstead, nature of the conveyance, and certain restrictions. He stated they hope to have something before the Board at their next meeting to be held on July 20.

AUTHORIZE EXECUTION OF CONTRACT WITH REMINGTON VERNICK TO PROVIDE ENGINEERING AND GRANT ADMINISTRATION SERVICES FOR THE EDGEWOOD VILLAGE SANITARY SEWER PROJECT

Mr. Maloney moved, Mr. McLaughlin seconded and it was unanimously carried to authorize execution of the Contract with Remington Vernick to provide engineering and Grant administration services for the Edgewood Village Sanitary Sewer Project.

APPROVAL OF EDGEWOOD CROSSING DEVELOPMENT AGREEMENT

Mr. Truelove stated they do not have the documents finalized this evening; but because the next meeting of the Board will not be until July 20, the staff have been working with the developer, and they would suggest that the Board approve the Development

Agreement subject to edits and revisions by the staff and professionals. He stated they will notify the Board when the Agreement is ready to be signed. Mr. Caiola stated he assumes that none of the revisions and edits would be substantial, and Mr. Truelove agreed.

Mr. Maloney moved, Mr. McLaughlin seconded and it was unanimously carried to approve the Edgewood Crossing Development Agreement subject to edits and revisions by the staff and professionals.

APPROVE EXTENSIONS FOR FIELDSTONE AT LOWER MAKEFIELD AND GATHERINGS AT YARDLEY

Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to approve an Extension of time to Fieldstone at Lower Makefield to 9/30/11.

Mr. McLaughlin moved, Mr. Maloney seconded and it was unanimously carried to approve an Extension of time for Gatherings at Yardley to 10/15/11.

APPROVE GRANT OF CERTIFICATE OF APPROPRIATENESS FOR A NEW SIGN FOR YOGURT STORE LOCATED AT 682 STONY HILL ROAD

Mr. Maloney moved and Mr. McLaughlin seconded and it was unanimously carried to grant the Certificate of Appropriateness for a new sign for the Yogurt Store located at 682 Stony Hill Road subject to the conditions by the Historical Architectural Review Board in their letter dated 6/6/11.

Mr. Truelove stated according a subsequent letter, the Applicant did accept those Conditions.

SIGNING OF MYLARS FOR PATTERSON FARM MINOR SUBDIVISION/LOT LINE CONSOLIDATION

Mylars for Patterson Farm Minor Subdivision/Lot Line Consolidation were signed following the meeting.

“WHEN IT RAINS, IT DRAINS” – THE STORY OF LOWER MAKEFIELD TOWNSHIP’S STORMWATER MANAGEMENT PROGRAM

Mr. Majewski stated the Township is in year nine of the program which had the focus of making sure that there is clean water. He discussed how the storm water flows through the Township and eventually discharges into the Delaware River and its tributaries. He stated there are two major watersheds in the Township – the Neshaminy Creek Watershed which is in the northwestern section of the Township and the Delaware River South Watershed which is the balance of the Township. He showed a picture of the boundaries of these two watersheds.

Mr. Majewski discussed the various regulations including the Federal Clean Water Act of 1972, the Pennsylvania Clean Streams Law, the Pennsylvania Stormwater Management Act (Act 167) enacted in 1978, the NPDES (National Pollutant Discharge Elimination System) Post-Construction Stormwater Management Plans, and through Municipal Zoning and Ordinances. Mr. Majewski stated there are two types of discharges – a point source discharge and a non-point source discharge. He stated the program regulates point sources of discharge where water comes out from the end of a pipe or through a ditch to a water course. He stated a non-point source of discharge would be runoff that is dispersed, going over lawns which is primarily addressed through voluntary programs.

Mr. Majewski stated there are problems with stormwater when there is a decrease in the quality of the water and an increase in the quantity with the cause primarily through developed and disturbed land. He stated erosion of embankments of streams can also cause sediment to be washed further down stream. Mr. Majewski stated the less stormwater is regulated, there can be problems with flooding; and the Township has been victimized by floods three times over the last seven years, and flooding is partially caused by stormwater run off. Mr. Majewski noted some people participate in illicit discharges by dumping things down the drains.

Mr. Majewski stated the sanitary sewer system connects household wastewater through pipes to the sewage treatment plant where it is treated for pollutants before it is released into the rivers. He stated the storm sewer systems collect water through the storm sewer inlets and when it discharges into streams and rivers it is untreated. He reviewed the various stormwater pollutants including sediment, nutrients from over-fertilizing lawns, bacteria, trace metals, toxic chemicals, thermal impacts, and oil and grease.

Mr. Majewski stated in 2003 the Federal Government started a Permit Program that requires a Permit to discharge stormwater into the Waters of the Commonwealth. He stated DEP created a State-wide Permitting program called the NPDES MS4 Program specifically to regulate this and meet the Federal regulations. He stated the Program

requires the Township to implement a stormwater management program, track progress toward goals, and report on the progress through annual reports to the DEP.

Mr. Majewski stated the Program requires six minimum control measures – education of the public, getting the public involved in having a stake in stormwater pollution, run-off from construction sites be managed, stormwater after construction be managed, that the Township implement a program to detect and eliminate illicit discharges, and that the Municipality also participate in the program by having good housekeeping and pollution-prevention procedures in place to manage stormwater from its own facilities.

Mr. Majewski stated over the last eight years, the Township has done a significant amount of education of the public by distributing educational materials developed by the DEP, included articles in the Township Newsletters on various topics related to stormwater management, and developed an outreach program to the community by having brochures available at the Township Building, information on the Website, and presentations similar to the one this evening. He stated in year seven, they sent mailings to the business community in the Township. He stated over the last few years, they have updated the Township Website to include volunteer opportunities and links to other stormwater-related Websites. He stated every year they notify the public about the Southeastern Pennsylvania Household Hazardous Waste and Computer Collection Program. Mr. Majewski stated going forward the DEP would like the Township to include in every Newsletter issued, a stormwater-related article. He stated one was included in the last Newsletter issued, and he has reached out to the EAC to submit interesting articles to include in the next Township Newsletter regarding stormwater.

Mr. Majewski stated for the public involvement/participation requirement, they have provided public notice of the program and held a meeting in 2003 similar to tonight's presentation. He stated they created a public involvement plan to come up with ways to involve the public. He stated they started a volunteer program for tree planting, and the EAC been leading this along with the Park & Recreation Board which did a tree planting program this year. He stated they have also started storm drain stenciling and have been successful in getting volunteers for this program. He stated he would also suggest some stream clean-up programs to get the public involved. Mr. Majewski stated the DEP did indicate in the last report that the Township should try to solicit greater public participation in the program and also recommended that the Township survey residents about its effectiveness. He stated possibly the EAC could look into a method to do this. Mr. Majewski stated they could also have the EAC organize stream and roadside clean-up activities and continue the storm drain stenciling program with the local organizations. He stated a number of Scouts have been involved in this, and they had a Grant from the Pennsylvania American Water Company to off-set the cost for the storm drain medallions that were installed. Mr. Caiola stated there is a young man working toward his Eagle Scout, and he is working on a stormwater project at one of the Middle Schools.

Mr. Majewski stated when he completes his project, they could include this in the annual report to the DEP to show they are actively working on those programs. Mr. Majewski stated the education has shown to be a success and he noted that some Scouts saw some workers at a home dumping items into the road, and they lectured them that they should not do this. Mr. Majewski stated the Scouts have also handed out educational tip cards to residents to advise of ways they can prevent stormwater pollution.

Mr. Majewski stated the third control measure is illicit discharge detection and elimination, and they enacted the DEP model Ordinance in 2005 and updated the storm sewer system map to show outfalls. He stated they implemented the program to detect non-stormwater in the system, and educated the community on problems related to dumping in storm sewers. He stated the DEP would like the Township to continue on with this program, and the Township needs to periodically update the data base for new outfalls using the basin and watershed numbering system that has been developed. He stated every year they also go out and check the pipes at streams to make sure that there is not water coming out in dry weather. He stated if they do find water coming out, they must determine the source of the water and whether it contains any pollutants. He stated they inspect 25% of all the stormwater pipes every year so that over four years they would have reviewed all of the Township stormwater outfalls. He stated they also need to continue to educate the public on problems related to dumping in the storm sewers in upcoming Newsletters and/or mailings.

Mr. Majewski showed an aerial map showing some of the detention basins and the outfalls. He stated they also have a data base that shows the detention basins and every year Public Works has a spreadsheet with software they have purchased to track progress toward inspecting the detention basins. He stated they also have to fill out a screening for every pipe inspected noting there are several hundred pipes in the system. He stated this report notes whether there was water coming out of a pipe on a dry day; and if there was, were there any pollutants, odors, temperature, etc. He showed pictures of an outfall.

Mr. Majewski stated the fourth control measure is construction site stormwater run-off control. He stated the Ordinance that was recently updated requires that all Plans for development comply with the requirements of Bucks County Conservation and their Erosion and Sediment Control Program, and the Construction Stormwater Permit. He stated they also need to educate the construction industry to help them comply with these measures. He noted problems when there is not sufficient silt fencing with dirt, etc. washing into the storm sewer system which can clog pipes and get into the streams. Mr. Majewski stated they also check to make sure that silt fencing is properly maintained. Mr. Majewski stated they send out brochures to those doing land development in the Township explaining the requirements and the consequences for non compliance including fines from the Bucks County Conservation District. Mr. Majewski stated they hold pre-construction meetings prior to construction of large projects, and at those

meetings they hand out a poster to post at the site reminding them of Best Management Practices to make sure that sediment does not leave the construction site and wash into the storm sewer system.

Mr. Majewski stated the fifth control measure is post-construction stormwater management. He stated the Township recently updated the Ordinances which includes updated features on how to make sure that after construction the responsible party will adequately maintain the systems, and they are responsible to inspect the stormwater management on the site so that it does not pollute the water.

Mr. Maloney stated he feels there continue to be issues at the CVS site on Oxford Valley and Big Oak Roads, and he has heard from the EAC that the facility is not working. Mr. Majewski stated one of the issues was that one of the rain gardens was built too small, and they have since rectified this and made other improvements to the basin. He stated he is scheduled to check into this in the next few days.

Mr. Majewski stated they have also developed an inventory data base for all BMPs installed since 2005, and they have to track when these were installed and whether they are operating properly. He stated they also periodically conduct inspections on all privately-owned BMPs to make sure there are no obvious problems. He stated the new Ordinance enacted will require the homeowners to do these inspections and provide reports to the Township which will reduce costs to the Township. Mr. Majewski showed an example of the spread sheet showing the type of facility installed, owner, tax parcel, any maintenance performed, etc. He also showed an example of what an infiltration trench looks like.

Mr. Majewski stated the sixth control measure is pollution prevention and good housekeeping. He stated they had to implement an Operations and Maintenance Program for the Township Public Works Department focusing on pollution prevention. He stated they prepared a written plan that provided all the procedures that the Township does; and while the Township has been doing these procedures for years, the DEP required that they put this Plan in writing for the workers to refer to. He stated they also conducted training sessions for Public Works employees on good housekeeping practices about four to five years ago. He stated last year they also updated the Operations and Maintenance Program to provide more information on vehicle and storm sewer system maintenance based on the DEP template. He stated Mr. Hoffmeister also scheduled PennDOT to have one of the stormwater management workshops held in Lower Makefield Township and this was attended by the Public Works staff. He stated this helps meet the obligations the Township has to make sure that not only are the developers doing their job but that the Township staff also does their job to prevent pollution. Mr. Majewski stated the Public Works Department also used the software purchased some years ago to implement a better tracking system for compliance with the activities that are required for submission in the Annual Report.

Mr. Majewski stated the stormwater management program benefits the community by providing opportunities for recreation, enhanced fishing, reduction of flood damage, benefits to the drinking water, navigational benefits, reduction of illness, and enhanced aesthetic value. Mr. Majewski stated the homeowners can help reduce stormwater pollution by properly disposing of hazardous substances such as used motor oil, cleaning supplies, and paint. He stated the annual Household Hazardous Waste Program has helped in this area. Mr. Majewski stated residents can also look for signs of soil and other pollutants leaving construction sites and report this to the Township. He stated residents can also install rain barrels and rain gardens to capture stormwater and keep it on the site rather than letting it drain away into the storm sewer system. He stated residents can also pick up after pets and dispose of the waste properly.

Mr. Maloney asked about the use of rain barrels, and Mr. Majewski stated these can help store water for re-use.

Mr. Majewski stated residents can also use pesticides, fertilizers, and herbicides properly and efficiently to prevent excess run off of these items into the streams. Mr. Majewski stated they can also store materials indoors that could pollute water and use containers for outdoor storage that do not rust or leak so that they can eliminate the exposure of materials to stormwater. He stated they should also report any discharge from stormwater outfalls during times of dry weather. Mr. Majewski stated residents can also become involved by passing on information about the program to other community residents and report any stormwater issues to Lower Makefield Township. He stated for more information, residents can visit the Township Website.

Mr. Majewski stated the DEP will be updating the program to provide more information, and they will be requiring the Township to also provide more information going forward.

Mr. Koopersmith stated he understands there is a lawsuit by the Attorney General in New York to prevent Marcellus Shale drilling in the Delaware Valley Basin and that on 9/21 the Delaware River Basin Commission will consider this. Mr. Koopersmith asked the Board's strategy to stop this before it pollutes the Delaware River Basin. Mr. Majewski stated that issue is regulated by the State, and Lower Makefield has little power in that regard. Ms. Virginia Torbert urged the Board of Supervisors to look into the issue raised by Mr. Koopersmith as she feels it will seriously impact residents. She stated she feels there should be regulatory systems in place to make sure the drinking water is not effected. Ms. Torbert stated when Mr. Santarsiero was on the Board of Supervisors he had started a group of area elected officials, and she suggested that they again enter into discussions with other area elected officials to make their voices heard with the Delaware River Basin Commission. Mr. Caiola stated they would need support from area Senators and Representatives to have a stronger voice in this.

ZONING HEARING BOARD MATTERS

With regard to the James and Tammy Smith, 217 Hyacinth Drive North, Variance request to construct a fence encroaching into a Conservation Easement, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Barbara Spivak, 1929 Gregg Court, Variance requests to construct a deck encroaching in to the side yard setback and a Sewer Easement, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Sandra Ahmad, 348 Robin Hood Drive, Variance requests to construct an addition exceeding the permitted impervious surface due to a previously-constructed addition, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Brian and Karen Gallagher, 848 Weber Drive, Variance requests to construct an addition encroaching into the rear yard setback and resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Frederick and Lois Childs, 11345 Lexington Drive, Variance request to construct an in-ground pool resulting in encroachment into a setback collector road and greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

SUPERVISORS REPORTS

Mr. Caiola stated the Farmland Preservation Corporation will be erecting six signs on the different preserved parcels.

Mr. McLaughlin noted the Aria Zoning Hearing Board matter will be heard on June 21, 2011.

Mr. Maloney stated the Park & Recreation Board met and discussed the Grant projects, and they will hold their Road Tour next month.

APPROVE POLICE PROMOTION

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to approve the promotion of Officer George Pitcher to Detective.

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APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to re-appoint Jeffrey Gusst to the Emergency Management Board.

ANNOUNCEMENT OF NEXT MEETING OF THE BOARD

Mr. Caiola noted that the next meeting of the Board of Supervisors will be held on July 20, 2011.

There being no further business, Mr. McLaughlin moved, Mr. Maloney seconded and it was unanimously carried to adjourn the meeting at 9:55 p.m.

Respectfully Submitted,

Ron Smith, Secretary