

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JULY 20, 2011

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on July 20, 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

Mr. Harold Koopersmith, 612 B Wren Song Road, expressed concern with the stock market.

Mr. Tom Humphrey, 660 Rose Hollow Drive, thanked the Township for responding to a letter written to the Township regarding cutting the basins at Rose Hollow. He stated they had been advised in May that it was the Township's policy not to cut the basins but to let them go more natural. He stated he met with Mr. Fedorchak and the Rose Hollow Property Manager on the site on June 14; and at that time Mr. Fedorchak informed them that it was a recommendation that the basins could be allowed to grow to their natural state, and they would not have cut them completely. Mr. Humphrey stated the Rose Hollow Association had been paying to have it cut for twenty-eight years, and the residents were concerned with this change. Mr. Fedorchak indicated that he would discuss with the Board of Supervisors about having a wider perimeter being cut; but at the Rose Hollow Association Board of Directors meeting, they decided this was not specific enough. He stated they sent a letter to the Supervisors; and he assumes that the Board agreed to have it cut since it was cut on July 13. Mr. Humphrey stated he hopes that this implies that it will continue to be cut a few more times through the summer.

APPROVAL OF JUNE 15, 2011 MINUTES

Mr. Smith moved and Mr. McLaughlin seconded to approve the Minutes of June 15, 2011 as written. Motion carried with Mr. Stainthorpe abstained.

APPROVAL OF JUNE 20, JULY 5, AND JULY 18 WARRANT LISTS AND JUNE, 2011 PAYROLL

Mr. McLaughlin moved, Mr. Stainthorpe seconded and it was unanimously carried to approve the June 20, July 5, and July 18, Warrant Lists, and June, 2011 Payroll as attached to the Minutes.

DISCUSSION OF SATTERTHWAITE FARMSTEAD SALE/BID DOCUMENTS

Mr. Truelove stated last month it was recommended that this matter be deferred pending further review, and he would make the same recommendation this evening since there are still issues that need to be dealt with before they feel comfortable with the proposed bid documents. He stated one of the issues has to do with the Grant Agreement for the Community Center and the Township's match which included the Township's purchase of the Patterson Farm and whether this requires that the Community Center be placed on the Patterson Farm. He stated they would like a resolution on this matter before they make any recommendation on the bid documents. He stated he hopes to have this resolved by the August 17th meeting.

Mr. Stainthorpe stated he is not clear how the Community Center will impact the documents to be put together for the Satterthwaite House, although he does understand how it may impact the desirability to one buyer. He stated he does not feel this should stop them from moving forward with the documents.

Mr. Stainthorpe moved and Mr. McLaughlin seconded that there be a deadline of August 17th for preparation of the bid documents.

Mr. McLaughlin stated he agrees that these are two distinct projects. Mr. Smith stated he agrees that they should move this matter forward and reach a decision. Mr. Truelove stated there may be an impact on the desirability of the property since one of the pastures that would be part of the five acre farmstead is adjacent to a road that would lead to the possible Community Center. He stated this issue came to his attention since the last Board meeting. Mr. Smith stated if the Community Center were to be built in the area near the Artists of Yardley, he assumes that they would use the same road. Mr. Stainthorpe stated this would be considered at the time of Land Development.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, reminded the Board that when the Planning Commission made its recommendation, they also discussed the need for a plan for the Farm. She feels it would be premature to move ahead with the sale documents when they do not yet know if or where the Community Center will be located on the property. She stated one of the issues will be the internal circulation of the property. She suggested that this matter be deferred until they know the answers to these questions.

Motion carried unanimously.

REPORT ON REDEVELOPMENT ASSISTANCE GRANT

Mr. Truelove stated with regard to the Grant Agreement itself, it is a standard Commonwealth Contract which does have certain draw down times for payment of money as information is submitted. He stated they are recommending that Mr. Fedorchak be authorized to sign the Agreement. Mr. Stainthorpe asked if they are locked into the Patterson Farm if they sign the Agreement. Mr. Stainthorpe stated he would be in favor of signing the Grant for the ball fields, but would not vote for the Grant for the Community Center until they have more information. Mr. McLaughlin asked if the Agreement locks the Township into the Patterson Farm for the Community Center; and Mr. Truelove stated while he does not believe it does, he would like to research this. Mr. Stainthorpe stated they need to discuss this with the State Representative to be very clear on this. He stated he is not comfortable signing the Agreement at this time.

Mr. Fedorchak stated the Agreement is to do what the Township agreed to do which was to construct the ball fields, renovate the tennis courts, construct the special needs playground, and construct a Community Center. He stated the original Application was “silent” on where the Community Center was to be located. He stated in January it was determined that the money that was spent on the purchase of the Samost Tract would be the Township’s match for that Grant. He stated a way to expeditiously cover the second Township match was to identify the Patterson Farm. Mr. Stainthorpe stated his problem is that this discussion was not held publicly. He stated when they discussed the matter in December, it was very clear with regard to the Samost Tract that they were going to ask about that being the Township match, and Mr. Santarsiero indicated it would count. Mr. Stainthorpe stated the other was left open-ended, and there was not a vote by the Board or public discussion about this which is why he is concerned. He stated he is not willing to have the Board’s hands tied to lock in the Grant by a certain date. Mr. McLaughlin stated he is concerned that they are not able to answer the question of whether the Agreement locks the Township into that location for the Community Center. He asked if the fact that they used the collateral of the Patterson Farm allows them to use any other location for the Community Center. Mr. Smith stated he feels that if they are using the collateral of the Patterson Farm, they would not be able to have the Community Center at some other part of the Township.

Mr. Stainthorpe stated they did purchase land at Memorial Park, and there is sufficient space there to have a Community Center. He noted it was discussed on the Park & Rec Road Tour last evening that Memorial Park is not being used. He stated he is concerned with being locked into something. Mr. Stainthorpe stated his interpretation when this was originally presented was that it was two Grants which is why they came up with the \$1 million for the ball fields, and then indicated they would figure out the Senior Center later. He stated now the Contract is all one Grant, and they have to do it a certain way. He stated he does not feel there was full disclosure. Mr. Stainthorpe stated previously they also heard a discussion from Gary Cruzan about a possible plan with Toll Bros. for a Senior Center, and they had discussed how quickly they had to act on the State Grant. He stated now it seems that it is a “done deal,” which he did not sign off on.

Mr. Smith stated he understood that the Township was going to look into identifying where they could find the matching monies to obtain the Grant. He agrees that the Board never signed off on any specific area for the Community Center. He stated then it was advised that the Patterson Farm would be the matching monies. Mr. Stainthorpe stated they are then locked into retrofitting the barn or building a new building on the Patterson Farm which would take away agricultural land. He stated he feels there are too many open questions to make a commitment at this time. He stated if they need to commit to both projects at the same time, he would vote no.

Mr. Caiola stated he feels they are two separate projects. He stated with regard to using Township-owned properties for the Community Center he only recalls discussing the Patterson Farm and not Memorial Park. He stated he feels they need to determine what they indicated they were going to do and see if other properties would fit the match.

Mr. Fedorchak stated when they discussed this in November, December, and January, the Township staff’s approach was that there were two different projects with two different phases; and they provided information to the State accordingly. He stated once it went through the State’s system, they had a single Grant project. He stated he feels he should now contact the State to see if there is flexibility with respect to locating the Community/Senior Center on sites other than the Patterson Farm. Mr. Fedorchak stated he does not feel the State would care where the Center would be located, and Mr. Stainthorpe stated this is what he wants to know from the State. Mr. Fedorchak agreed to provide this information to the Board in August. Mr. Caiola stated he feels they should take the extra time to make sure they know exactly what they can and cannot do. Mr. Fedorchak stated he will be meeting with the State and their consultants on August 2. Mr. Caiola stated they want to make sure that what they are doing is viable.

Mr. Smith stated a Sub-Committee had been formed for the Community Center, and they were scheduled to meet very soon. He stated he feels they should still be allowed to meet while they are getting this clarification from the State.

Mr. Stainthorpe stated his intent is to get the biggest and highest value for the dollar. He stated locking it into just the barn is not the way to do this. He stated this is the reason they formed a Committee to look into the various options.

Mr. Maloney stated he also feels they should confirm whether this has to be a single Contract. He stated he feels the Board also needs to maintain the option to renege on the commitment and give the State its money back if the Township cannot make it happen.

Mr. Smith asked what the language of the Grant says at this time and asked if it specifically mentions Patterson Farm or does it give the Township flexibility. Mr. Majewski stated he is familiar with the Grant Application and nowhere did it specifically identify that the Senior Center has to go on the Patterson Farm. He stated the justification for the Patterson Farm was that the Township had already outlaid money to purchase that property, and Mr. Santarsiero found out that this could be used as part of the Township match. He stated they could also use some other Township property which was purchased such as Memorial Park, the Snipes Tract, or some other parcel and use that as the Township match. He stated nowhere was the Patterson Farm specifically identified in the Grant Application for the Community Center. Mr. McLaughlin stated there is a difference between the Grant Application and the Agreement. Mr. Truelove stated the Application was to obtain the opportunity to get the Grant, and the Grant is what is extended in order to obtain the money. He stated what was set out in the Application is very similar to what is in the Agreement, and there is no specific mention of a site for the Community Center. Mr. Stainthorpe stated he would like to have confirmation that the Township has flexibility on the location.

Mr. Smith asked that they inform the Sub-Committee that they do have flexibility as to other spots in the Township and are not locked into Patterson Farm.

Mr. Maloney asked Mr. Fedorchak to confirm that this does not effect the Township's ability to begin to start on the ball fields, tennis courts, and playground. Mr. Fedorchak agreed to get all the answers by the next meeting in four weeks. He asked that the Board direct Mr. Majewski to begin work on the tennis courts and basketball courts.

Mr. Majewski stated in a few weeks they will be prepared to put out to bid the resurfacing of the tennis and basketball courts. He estimated they could start construction late September and complete this by the end of the year. He stated with regard to the playground, they discussed locations on the Park & Rec Road Tour last evening along with representatives of the Disabled Persons Advisory Board. He stated they will continue to work with them to finalize the location of the playground at Memorial Park and the pieces that will go within the playground. He stated construction could start late this year or spring, 2012. Mr. Majewski stated they have started preliminary design work for the Samost Tract, and this must go through the entire Land Development Approval

process. He estimated that construction could begin in spring, 2012. He stated with regard to the Community Center, they will have to chose a site and engage an architect to develop Plans, recognizing that some Preliminary Plans were done several years ago. He stated he does not feel they could begin construction until late 2012 or spring of the following the year.

Mr. Caiola thanked Dave Rogers, Trish Bunn, Gail McFadden, Frank Fazzalore, and Tony Bush who will be serving on the Community Center Sub-Committee and working with Mr. Majewski.

PRESENTATION OF ST. IGNATIUS SKETCH PLAN

Mr. Edward Murphy, attorney, was present with Mr. Eric Clase, engineer. Mr. Murphy stated earlier this year his client entered into an Agreement of Sale with St. Ignatius to purchase a portion of the current holdings of the Parish which is slightly less than 34 acres located on Reading Avenue and Sandy Run Road. He stated they presented the Sketch Plan to the Planning Commission last month. He stated the Plan contemplated the Subdivision of approximately 11 acres of the overall tract. They would create an eight-lot Subdivision. He stated the Parish has identified the property as excess property they no longer require. He stated plans that the Parish had years ago when they acquired an additional 17 acres of which this piece is part, were for a future expansion which is no longer needed. He stated they have revised the Plans somewhat since they were before the Planning Commission to address comments from the Township engineer. These Revised Plans were provided to the Board this evening.

Mr. Murphy stated the Sketch shows a single cul-de-sac access. In the original Sketch the eighth lot was located behind one of the proposed lots on Sandy Run, and Mr. Majewski commented that it would be better if that additional lot were located further south on Sandy Run in an open area where they would have to remove fewer trees. Mr. Murphy stated the cross-hatched area with a triangular shape abutting the Railroad will be transferred to the mother parcel of St. Ignatius. This will be next to and consolidated with the existing Church and School property so that the relief that was granted in 1992 to the Church to increase impervious surface to 28.15% is not violated. He stated even with the sale of this acreage, the addition of the triangular piece back to the Church will make the Church parcel still compliant with the relief previously granted.

Mr. Maloney stated he assumes that since these are single-family homes, they would be between 2,500 and 3,000 square feet; and Mr. Murphy stated they would be within this range, probably at the lower square footage.

Ms. Virginia Torbert asked for more information on the exact location, and this was shown on the Plan. Ms. Torbert stated she assumes the neighbors will be notified, and it was noted they will be. She asked if St. Ignatius will be the Applicant, and Mr. Murphy stated the purchaser will be the Applicant. Ms. Torbert stated the public should be advised that this is a housing development and not an expansion of the Church. She asked about road widening, and Mr. Murphy stated this will be determined during the course of the Subdivision review.

APPROVAL OF REGENCY AT YARDLEY DEVELOPMENT AND FINANCIAL SECURITY AGREEMENTS FOR PHASES 1, 2, AND 3

Mr. Truelove stated Toll Bros. representatives are present this evening to answer any questions. He stated the three Phases allows them to do things in a planned way and allows the Township to have specific oversight of the development.

Mr. Stainthorpe moved, and Mr. Maloney seconded to approve the Regency at Yardley Development and Financial Security Agreements for Phases 1, 2, and 3.

Mr. Maloney asked if they are together or separate Agreements. Mr. Truelove stated there are three Development Agreements and three Financial Security Agreements.

Mr. Zachary Rubin, 1661 Covington Road, asked if the Board has given Final Approval only for Phase 1 for the single homes or also for Phases 2 and 3. Mr. Majewski stated the Board of Supervisors has approved the entire Plan. He added that the Agreements being discussed will allow Toll Bros. to start Phases 1, 2, and 3 which are on the north side of Robert Sugarman Way. Mr. Rubin asked about Phase 3; and Mr. Majewski stated Phase 1 is the club house and entrance on Oxford Valley Road, Phase 2 is the model section that will contain six singles and six carriage homes, and Phase 3 is an additional 62 single-family homes.

Mr. Rubin noted the intersection at Kohl's where it is difficult to make a left from Oxford Valley Road north on Big Oak Road. Mr. Rubin asked if the Board, Toll Bros., or Matrix have any plans to improve that intersection so that it is not a "failing" intersection.

Mr. Majewski stated he believes this is part of the Plan. Mr. Rubin asked who will be doing this, and Mr. McLaughlin stated he understood that it would be done by Toll Bros. Mr. Majewski stated the Plans contemplate a double left turn lane from Oxford Road heading north to go onto westbound Robert Sugarman Way. Mr. Rubin asked if this will be completed before Phase 1 is finished, and Mr. Stainthorpe stated the widening of Big Oak Road is underway now. Mr. Rubin stated he is concerned with the left-hand turn, and he now understands that they are indicating the plan is to double this and make a double left turning lane. He asked if they are also adding another lane at the Kohl's shopping center on the right so that there are two through lanes. Mr. Fedorchak stated his

understanding is that it was contemplated that a double left turn lane was required off of Oxford Valley Road. He stated he feels Mr. Majewski should review this to make sure that this is still part of the plan for this intersection. Mr. Rubin asked who will have to pay for this expense, and Mr. Fedorchak stated Toll Bros. will pay for this. Mr. Rubin asked that there be clarification on this before they approve these security bonds. He also asked when it will be completed. Mr. Majewski stated he is not sure as to the schedule but believes that improvements were to start in conjunction with the beginning of the project. Mr. Rubin stated the project has already begun. He asked if the Toll Bros. representatives present this evening could answer these questions.

Mr. Murphy, attorney, was present with Mr. Greg LaGreca. Mr. Murphy stated months ago a separate Development Agreement and a separate Financial Security Agreement was executed and posted with the Township to govern the boundary road improvements about which Mr. Rubin is now inquiring. He stated the work is ongoing, and the work has already been bonded in accordance with the Settlement Agreement previously entered into between the Township and Matrix. He stated monies that were posted were posted not only by Toll but also by Matrix. Mr. LaGreca stated the Board approved the Plans that contemplated all the improvements to Oxford Valley and Big Oak Road prior to Toll Bros. taking ownership of a portion of the land. He stated he does not feel they have changed dramatically since the acquisition. He agreed with Mr. Murphy that the off-site Development and Financial Security Agreements were already signed and posted. He stated a small portion of Big Oak Road is the Township's and a larger portion is the State's as is Oxford Valley Road. He stated it is therefore a PennDOT-specified project. Mr. Majewski stated he feels it the reverse on Big Oak Road as a small part is State-owned, and the larger portion is Township-owned. He agreed that all of Oxford Valley is State-owned.

Mr. Majewski asked when they will start on the double-left turn lane, and Mr. LaGreca stated a lot of work has to be done on Big Oak Road first, and the widening work on Big Oak Road is being done now. He stated they anticipate that the entire project for Oxford Valley and Big Oak Road and the improvements contemplated in the Orth-Rodgers Plan will be completed around Thanksgiving.

Mr. Rubin stated the original Matrix Agreement said that they were going to put in another right-hand turning lane from Big Oak Road going from the I-95 Bridge to Oxford Valley Road. He stated there were no plans to put a double left-hand turn coming from Oxford Valley Road making the left, which is queued up now and is very dangerous. He stated he now hears that there are definite plans to double the left-hand turning lane going from Oxford Valley Road making a left onto Big Oak. Mr. LaGreca stated he does not know the specifics of the Plan since he focused on the Residential Land Development changes. He stated the Orth-Rodgers Plans have been approved for quite some time.

Mr. Rubin stated this is a major intersection, and he does not understand why there is vagueness. He stated he would like to know if there is a definite plan to double the turning lane making a left north onto Big Oak Road, and if it is in writing. Mr. Majewski stated this has been going on for almost seven years; and he recalls that there are two, left-hand turning lanes on Oxford Valley Road heading onto Big Oak Road. Mr. Rubin stated he would like to see the document that says this.

Mr. Stainthorpe stated there is already Final Plan Approval. Mr. Murphy stated they will honor and follow to the letter whatever Agreements existed between the Township, Matrix, and the other stakeholders. He stated they are implementing that work based on the Plans that the Board and other stakeholders approved. Mr. Rubin stated he would stipulate this, but there has been no final agreement for the Matrix section of the development. Mr. Murphy stated this is incorrect. He stated Toll Bros. last May purchased a single-family section and the carriage-home section from Matrix, and Matrix retains today the condominium section. He stated Toll Bros. posted security with the Township six months ago together with Matrix in their proportionate shares of the money that is required to do the boundary road improvements on Big Oak Road and Oxford Valley Road, based on the Plans which were approved a year or more before that. Mr. Murphy stated they are now implementing those previously-approved Plans. He stated Matrix together with Toll remain financially committed to seeing those improvements through, and all the money required to do that was posted six months ago with the Township.

Mr. Rubin asked the Board if they have given final approval to the condominium section that Matrix will develop, and it was noted that they have.

Mr. Rubin asked if they could find out if there are plans to double the turning lane and report on this at the next meeting. Mr. McLaughlin asked that this be provided noting that the Board would not be changing any of the approved Plans. Mr. Rubin stated if this is not on the Final Approval, he feels it is incumbent upon the Board of Supervisors to seek a solution to that intersection, not necessarily from Toll Bros. or Matrix but from PennDOT or some other source because it is a dangerous intersection. Mr. Stainthorpe stated he recalls that the intersection was rebuilt over four years ago, and the left-hand turn stacking lane was extended. He stated he would not characterize it as a failing intersection. He stated he feels they may be able to change the timing of the light, and he does not feel that this is a problem that requires rebuilding the whole road. Mr. Rubin stated he disagrees with Mr. Stainthorpe's characterization of the intersection.

Mr. Koopersmith stated he feels they do need two left-hand turn lanes at that location since only eight cars can get through.

Mr. Fedorchak stated they will report to the Board of Supervisors exactly what is required of the developers.

Ms. Virginia Torbert stated this was the exact question that she asked months ago, and she has looked at the Plans. She stated the double left-hand lane is on the Orth-Rodgers Plan, but there is no separate document that says that Toll will do “x, y, and z.” She stated her question months ago was if Toll had to do this before they build, and she was told that they have to complete it all by the time they complete the project.

Ms. Helen Heinz was present and stated the Township does not own the corner where the octagonal school house was located as it is owned by a private owner. She stated over the years, they have asked numerous times for the Township to condemn that piece of land and do an archeological dig. She stated this site has the oldest octagonal schoolhouse in the Nation, and it is well documented. She stated it is a “travesty” if the Township Supervisors do not procure that site. She stated the Plans indicated that there would be two lanes turning left onto Township Line Road onto the CVS property, but not touching the site because any disturbance would trigger an archeological assessment which would stop the whole project. Ms. Heinz stated she has been concerned over the course of the development with workers parking their cars adjacent to the site. She stated she has walked onto the site and there is a pole one foot from the foundation of the octagonal schoolhouse. She stated the well is totally covered by a fence.

Mr. Koopersmith stated the left hand turn lane backs up the traffic, and people tend to move to the right and there could be an accident. He stated there must be widening to allow more cars to back up.

Mr. Smith stated they have been advised that this work has already been approved, and they are proceeding with the work. He stated he agrees with Mr. Rubin that this is a dangerous intersection, but the developer has made a commitment that the work will be done by Thanksgiving.

Motion carried unanimously.

REGENCY AT YARDLEY – SIGNING OF MYLARS

Mylars were signed following the meeting.

GOLF COURSE DISCUSSION

Mr. Mike Attara stated the signage for the Golf Course coming off of I-95 was included in the Capital Improvement Budget. He stated the new programs at the Course are growing, and he discussed the programs taking place at the Course.

Mr. Jeff Clark, DelVal Soils, stated he is a professional geologist and has been asked by Mr. Attara and Mr. Fedorchak to look into the quality and yield of Well No. 1 which is the main water supply well for the Golf Course. He stated over the last several years, the yield has declined in the well which does sometimes happen to wells in this area. He stated he would recommend re-developing the well to get additional yield out of it so they can get to the allocated withdrawal rate that had been determined by the Delaware River Basin Commission. He stated he has obtained three bids to re-develop the well, and he would recommend proceeding with Northeast Environmental. Mr. Caiola asked if he has worked with this organization previously, and Mr. Clark stated he has.

Mr. Fedorchak stated he understands there are a number of water-bearing zones within Well No. 1. Mr. Clark stated the well is currently drilled 9" at a depth of 540', and there are water-bearing zones starting at 140' through 500'; and they are going to isolate off the shallowest water bearing zone so that they are not developing a zone that the neighbors of the Golf Course may be using for their wells. He stated those wells are monitored on a monthly basis as required by the DRBC, and they have not experienced any problems in the last several years.

Mr. Stainthorpe asked if the quote is \$7,800; and Mr. Clark agreed. Mr. Stainthorpe stated this quote is quite a bit less than the other two, and Mr. Clark reviewed the other bids and stated he feels what is proposed is appropriate at this time. Mr. Stainthorpe asked if any other approvals or waivers are required from the Basin Commission, and Mr. Clark stated there are not.

Mr. Stainthorpe moved and Mr. Maloney seconded to approve the bid as presented.

Mr. Koopersmith stated he has heard good comments about the Golf Course.

Mr. Rubin asked for clarification of the process to be used, and Mr. Clark described the process.

Motion carried unanimously.

OTHER BUSINESS

Mr. Truelove noted that the Board met in Executive Session prior to the public meeting and discussed personnel, real estate, and Zoning matters.

ZONING HEARING BOARD MATTERS

With regard to the Sharon Czebotar, 616 Washington Crossing Road, Variance request to permit the existing dwelling to be devoted to her acupuncture business, it was agreed to leave this matter to the Zoning Hearing Board.

With regard to the Joseph Pryor, 31 Glen Drive, Appeal of the determination of the Zoning Officer and Variance request to permit “appointment only” customer visits with respect to online and gun show firearms sales, it was agreed that the Township should participate to get clarification as to the nature of the customer visits and determine if what is being requested is permitted through ATF regulations.

With regard to the Michael and Maureen Petrosky, 2110 N. Crescent Boulevard, Variance request to permit construction of an addition resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Susan Cohen, 540 Liberty Drive, Variance request to construct a patio resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Joseph and Cindy Pfender, 1325 Newtown-Yardley Road, Variance request to construct a two-car garage resulting in greater than permitted impervious surface and encroachment into the side yard setback, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Julie and Wes Scheiring, 1471 N. River Road, Variance requests to construct an in-ground pool and detached garage, it was agreed to leave the matter to the Zoning Hearing Board.

DISCUSSION OF 2011/2012 DEER MANAGEMENT PROGRAM

Mr. Andy McCann from BOWMA was present and stated last year’s program was a success, and they removed nearly 100 deer at very low cost to the Township. They had positive feedback from the public that they interacted with. He stated they have worked with Mr. Fedorchak and are proposing an extension of last year’s program the details of which were included in the proposal they submitted in June.

Mr. Stainthorpe stated he feels they did a good job last year and BOWMA was able to provide approximately the same yield as the sharpshooters at less cost and anxiety to the public. He stated he is now getting fewer complaints from residents about the number of deer in the Township, and it seems like the deer population has been somewhat controlled.

Mr. McLaughlin asked Chief Coluzzi if there seems to be a decrease in the number of deer/car collisions and Chief Coluzzi stated there does seem to be a decrease. He also stated there were no complaints and BOWMA was very professional.

Mr. Caiola stated they may also reach out to BOWMA about expansion of the program onto some other properties.

Mr. Smith asked about the number of meals supplied to the food banks as a result of last year's harvest, and Mr. McCann stated it was approximately 2,000 meals.

Mr. Stainthorpe moved, Mr. Maloney seconded and it was unanimously carried to approve the 2011/2012 Deer Management Program as presented.

APPROVAL OF RESOLUTION NO. 2232 – FIVE YEAR WINTER TRAFFIC SERVICE AGREEMENT WITH PENNDOT FOR YEARS 2011 THROUGH 2016

Mr. Fedorchak reviewed the State roads to be plowed by the Township. He stated PennDOT is proposing paying the Township \$14,616 this upcoming winter season to perform that task. Mr. Maloney stated he understands that this is not a negotiated price, and Mr. Fedorchak agreed. Mr. Maloney noted the increased price of gas. Mr. Fedorchak stated in the past the Township plowed 20 miles of State road; and at the staff's recommendation, the Board agreed that the Township should reduce that number to eight miles since they had done an evaluation and found that the Township was spending more than what they were receiving.

Mr. McLaughlin asked if the Township is doing this because they were unhappy with the State's service, and Mr. Stainthorpe stated his understanding is that these are roads that lead to developments that the Township plows. Mr. Fedorchak stated they do keep details on the costs and will continue to monitor the costs associated with plowing these eight miles of State roads. Mr. Fedorchak stated they can opt out of the Agreement provided they notify PennDOT in writing prior to September 15 each year.

Mr. Maloney moved, Mr. Stainthorpe seconded and it was unanimously carried to approve Resolution No. 2232

SUPERVISORS REPORTS

Mr. Smith stated the Disabled Persons Advisory Board has been working hard putting together a proposal for an inclusive playground at Memorial Park.

Mr. Maloney noted the successful Park & Rec Road Tour held last evening.

Mr. McLaughlin noted that Giant Foods has donated \$5,000 to the Veterans Monument and that project has gone out to bid. Mr. Caiola stated on Labor Day they will have a jazz concert and groundbreaking at Veterans Square.

OTHER BUSINESS

Mr. Majewski stated with regard to the Grant Application, he noted it was mentioned in one line item that the Community Center will be on the Patterson Farm although he recalls from his conversations with the Grant advisors, the location could be moved to another location.

APPOINTMENT TO BOARDS AND COMMISSIONS

Mr. Stainthorpe moved, Ms. Smith seconded and it was unanimously carried to re-appoint Margaret Fine Levy to the Economic Development Commission.

There being no further business, Mr. Maloney moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 9:00 p.m.

Respectfully Submitted,

Ron Smith, Secretary

