

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – APRIL 15, 2015

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on April 15, 2015. Ms. Tyler called the meeting to order at 7:30 p.m.

Those present:

Board of Supervisors: Kristin Tyler, Chair
Dan McLaughlin, Vice Chair
Jeff Benedetto, Secretary
Dobby Dobson, Treasurer
Ron Smith, Supervisor

Others: Terry Fedorchak, Township Manager
Jeffrey Garton, Township Solicitor
Mark Eisold, Township Engineer
Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

A gentleman stated he lives in the Maplevale area where a property owner is blocking access to the State Park where there is a foot path on his property. He stated there are children and others wishing to access the Canal, and this access is being blocked which he feels is a safety issue. Mr. Dobson asked who owns the property, and the gentleman stated it is owned by the individual who is blocking it; and while it is private property, there are statutes and cases that would allow the Township or private citizens to do something. Mr. Smith stated he felt he saw something on line that the owner had allowed access of this lane, but someone had gotten hurt and sued them. The gentleman stated he did a search, and there has not been a lawsuit against them. He stated he did talk to the gentleman who owns it who indicated he was concerned that he could get sued.

Mr. Benedetto stated an individual wrote a letter to Mr. Ware at the Township Zoning office, and he included this in an e-mail to the Board of Supervisors. Mr. Benedetto stated according to information on Facebook the individual who owns this is very willing to grant an Easement to the Township and to have the Township take over maintenance. Mr. Benedetto stated he feels this would be a good candidate for use of Municipal Open Space money.

The gentleman stated that there was an individual looking to purchase the property at 27 Maplevale Drive, and she asked how you get access to the Canal because she was only looking at this property because she wanted access to the Canal so he feels this means blocking it is impacting property values.

Ms. Tyler asked Mr. Fedorchak to reach out to the homeowner and see what his position is on the property and look at the property to see if an Easement is a possibility. Mr. Garton agreed to work with the Township Manager on this issue and report back to the Board at the next meeting with what they have discovered.

Mr. Jeff Hirko, 1450 Dolington Road, stated he would like to stabilize the Satterthwaite House so that no further damage can occur. He reviewed what he is proposing to do on the outside to secure the home. He stated he is concerned with the number of people at the property, and he is concerned that someone is going to gain access to the property and get hurt. He stated he had previously indicated at a meeting that he has over thirty-six years of experience and there are many volunteers who would help with this project. He stated a number of volunteers were there on Sunday, picking up leaves, sticks, etc. He thanked Mr. Fedorchak for allowing them to work with Mr. Bob Jones.

Ms. Tyler stated the issue of the Satterthwaite House continues to be the fact that it is currently in litigation before the Bucks County Court of Common Pleas, and this ties the property up as far as the Township's ability to do anything on the property. Mr. Garton stated there is litigation, and he has had some discussion with Mr. Murphy suggesting that possibly the Agreement of Sale has lapsed. Mr. Garton stated he feels he will be in a position by the next meeting to provide the Board with a more definitive answer. He stated he did share with the Board of Supervisors his letter about the possibility of a transfer.

Ms. Tyler stated before anyone goes onto the property there are legal hurdles to address, and there have to be protections built in for the Township. Mr. Hirko stated he understands this. Ms. Tyler stated they are grateful that Mr. Hirko is willing to assist the Township, but they need time to get the proper clearances. He stated the volunteer group would need to work on the 501C3 and get general liability insurance.

Mr. Smith stated he understands that there are Waivers and Releases that need to be executed, but he does feel it would be great for volunteers to come forward and stabilize the property before it gets worse. He stated there is a strong volunteer group, and he does not feel it should take long to get the formalities out of the way.

Mr. Hirko stated the property is still owned by the Township, and he feels it would be in the Township's best interest to protect what they have.

Mr. Benedetto stated under the Agreement of Sale, he assumes the Township is required to maintain the property while Approvals are pending; and Mr. Garton agreed they are required to maintain it, but not improve. Mr. Benedetto stated he feels while they are waiting to find out if the Agreement of Sale has in fact lapsed, Mr. Hirko could go in and do some work on the structure so that it does not further deteriorate; and Mr. Garton stated he could subject to proper waivers.

Mr. Zachary Rubin, 1661 Covington Road, stated he feels that if he had an Agreement of Sale to sell his property on a contingency that someone would get a mortgage by a certain date, and they did not do so, the Agreement of Sale would be null and void. He stated he felt that the Township sold it on the contingency that they would get all their relief from the Zoning Hearing Board, and they did not do so. Mr. Rubin stated while that is on Appeal, he feels the bill of sale is null and void because they never got the Variances. Ms. Tyler stated they will make sure they get that legal opinion from Mr. Garton.

Ms. Donna Doan, 2814 Yardley-Langhorne Road, stated she did speak to an attorney about a 501C3 for the Satterthwaite House. Mr. Benedetto stated there was a letter to the Board of Supervisors from Mr. Garton about the requirements for the transfer of the property to a non-profit. Ms. Doan stated she will provide this letter to her attorney.

Mr. Tim Collins, 479 Jenny Drive, stated Stony Hill Road going out to Township Line Road at Bright Farms is starting to be a safety hazard because people are trying to miss the potholes. Mr. Kall stated this is a State road, and he will contact the State about this tomorrow. Ms. Tyler asked everyone to notify the Township about any problems on roads, and Mr. Kall will get it to the proper authority.

Mr. Collins also stated that not all residents are shoveling out fire hydrants, and he asked why they do not have a marked iron pole at every hydrant in the Township. Mr. Fedorchak stated the hydrants are Pennsylvania American Water Company property, and Mr. Fedorchak agreed to discuss this with them.

Ms. Judi Reiss, 969 Princess Drive, expressed concern that children are riding and walking in the street even though there are sidewalks. She asked that they start a program at the Schools discussing this. Chief Coluzzi stated they will do a public service announcement about this and continue to remind residents.

Ms. Reiss stated she is a member of the EAC and they have discussed the Community Center and LEEDS. She stated the Ordinance which was passed states that this building must be in compliance with the equivalency of a Silver Level and she stated the building is not. She stated this will impact the maintenance and sustainability of the building going forward.

Ms. Tyler stated the project is out to bid, and when the bids come back, they will revisit this issue. Ms. Reiss stated she does not feel this is negotiable since if the Township decides to break the law, what would keep the next builder from deciding not to follow it. Mr. Fedorchak stated he feels they were very close to that level, and added that the Board of Supervisors does have the ability to grant Variances. He stated he feels it would be best to address this with Mr. Hibbs.

Mr. Benedetto stated Mr. Bray stated at the EAC meeting if they were not going to hold true to the Ordinance, why would anyone else including builders and residents; and Mr. Benedetto stated he agrees with this. He stated there is a cost issue, and he stated he has the meeting Minutes from March, 4, 2016 and it was indicated that they were not going to pursue Silver because of the additional \$125,000 to \$200,000 additional cost.

Ms. Reiss stated she is concerned that it will cost the Township far more for maintenance and running the building than what would be spent to do it right the first time.

Mr. Benedetto stated this Ordinance was passed in 2009, and the only person present on the Board who voted for this was Mr. Smith since no one else on the current Board was on the Board at that time. Mr. Benedetto stated he has reviewed those meeting Minutes and Mr. Stainthorpe had indicated the reasons why he was opposed to it which he agrees with.

Mr. Benedetto moved to advertise an ordinance to get rid of the Green Ordinance.

Mr. Benedetto stated he feels if the Board is not going to follow their own Ordinances, they should get rid of them.

Ms. Tyler stated they discussed a different Zoning issue earlier this evening and she was looking to enforce the Zoning Ordinance, and Mr. Benedetto had indicated he was apt to grant a Variance on that; however, Mr. Benedetto stated he is not apt to grant any Variances since that is the job of the Zoning Hearing Board and they were setting Conditions on the George Fox Appeal which is what they were discussing.

Mr. Benedetto stated there is a Motion to advertise an Ordinance to do away with the Green Ordinance since he believes based on the meeting Minutes of March 4, 2016 and the meeting Minutes of November 9, 2009 if they are not going to uphold the Ordinance or agree to the Ordinance, they should get rid of it because it is hypocritical. He stated this is also how he feels about the Tree Ordinance.

There was no Second, and the Motion died for lack of a Second.

Mr. Benedetto stated they will revisit this when the Bids come back to see how much the Board is willing to follow their Ordinances.

Ms. Lisa Huchler-Smith, Disabled Persons Advisory Board, stated they have installed the sign out front of the Secret Garden. She thanked Ms. Liney and her crew for paving the bike path to the Park, and she added they will be striping Woodside Road to make it safer to cross. Ms. Smith stated they are going to plant trees in the spring. She stated they are looking for help from the public who might be interested in donating a bench. She stated she feels there is room for five benches at the playground, and to date they have one donor. She stated the benches cost approximately \$500 and on each bench there will be an engraved plaque. She asked those interested in donating a bench to contact Ms. Liney.

Ms. Tyler discussed the all-inclusive playground that was constructed at Memorial Park at the north end of the Township. She stated she was there with her daughter and her friends who after playing on the playground then visited the 9-11 Memorial.

Mr. Smith suggested contacting YMS and PAA about donating funds for a bench.

Ms. Smith stated they have seen dogs inside the playground despite signs being posted that no dogs are allowed, and this has upset some of the children. She also stated they do not want there to be food or drink inside the playground so that they can preserve the flooring and not attract bees and other insects. She stated there are areas in the Park where you can have a picnic.

Ms. Smith noted there is a vacancy for an Alternate on the Disabled Persons Advisory Board, and she asked those interested in serving to send their resume to Mr. Fedorchak.

Mr. Matt Bolger, Taylorsville Road, stated on September 17 the Board voted to support BRRAM, and on May 6 they will be presenting oral arguments in Federal District Court. He stated their attorney has done a fair amount of work, and he asked the status of the monetary pledge to BRRAM as well as the matching funds. Mr. Fedorchak stated they have already paid \$10,000 to BRRAM, and as soon as someone from BRRAM officially advises him that the conditions have been met for the additional match, he will send that out as well.

APPROVAL OF MINUTES

Mr. Benedetto moved, Mr. McLaughlin seconded and it was unanimously carried to approve the Minutes of April 1, 2015 as corrected.

APPROVAL OF APRIL 6, 2015 WARRANTS LIST AND MARCH, 2015 PAYROLL

Mr. Dobson moved, Mr. Smith seconded and it was unanimously carried to approve the April 6, 2015 Warrants List, and March, 2015 Payroll as attached to the Minutes.

POLICE DEPARTMENT – PENNSYLVANIA LAW ENFORCEMENT ACCREDITATION PROGRAM

Chief Coluzzi thanked all the members of the Board of Supervisors over the years and Mr. Fedorchak for their help with the Accreditation process. He stated this has been a ten-year process working to achieve the Accreditation status, and he announced that the Police Department is now a fully-accredited organization. He stated this program was introduced by the Pennsylvania Chiefs of Police Association for law enforcement throughout Pennsylvania some time ago. He stated there are approximately three hundred agencies that have applied for the process, and thus far less than one third have achieved this status.

Chief Coluzzi stated the process is a proven way of helping institutions evaluate and improve their overall performance. He stated they are required to examine every aspect of their organization and make whatever improvements are necessary to meet the high standards. He stated this is a difficult and time-consuming process. He stated once the Police Department feels they are ready, a team of professional assessors are sent to the Township to conduct a thorough analysis of the Police Department.

Chief Coluzzi stated some benefits of Law Enforcement Accreditation are the establishment of a credible framework for evaluating the Department's practices and procedures. He stated it also reduces the risk and exposure to liability and lawsuits and decreases liability insurance expenditures. He stated Pennsylvania Accreditation is highly recognized and supported by the Delaware Valley Insurance Trust which is the Township's insurance provider. Chief Coluzzi stated it also improves law enforcement/community relations, highlights the competence of the Police Department and insures that there is a strict command structure and supervision at all levels.

Chief Coluzzi stated once a law enforcement agency is accredited it is subjected to constant reviews and it must maintain the status going forward. He stated every three years they come back and physically do a review, and you have to apply for re-accreditation every three years.

Chief Coluzzi stated he is privileged and thankful to have the opportunity to lead this Department particularly now that they have obtained Accreditation. He stated it is the men and women in the Department who work tirelessly every day who deserve the credit. He particularly thanked Captain Tom Roche, Lieutenant Robert Lewis, Detective-Sergeant Brian Omlor, Detective Denise Siano, and Administrative Assistant Jennifer Wagner. He thanked all the men and women of the Lower Makefield Police Department because without them this could not have happened.

Chief Coluzzi read the Summary of Recommendation written by the lead assessor which fully supported and endorsed the Police Department for Accreditation as an Accredited Pennsylvania Law Enforcement Agency.

Ms. Tyler stated she spoke to the Accreditation Team, and they had numerous compliments about the Police Department and how incredibly impressed they were and what an example this Department is across the Nation. She stated they verified what the Township already knew in that they have an exemplary Police Department in Lower Makefield Township. She stated they are grateful for everyone in the Police Department and thanked them for protecting the residents and making Lower Makefield the wonderful place we call home.

Mr. Smith asked where they will keep the plaque, and Chief Coluzzi stated it is posted in their hallway where it is the first thing all the Officers and public see.

POLICE DEPARTMENT – DISCUSSION OF NALOXONE KITS AVAILABLE TO POLICE OFFICERS AND PRESENTATION OF AWARD TO OFFICER BRIAN HOLDER

Chief Coluzzi stated the Police Department was very supportive of the Legislative passing Act 139. He stated this Act is permission for law enforcement to carry and administer Naloxone which is an opiate reversing medication. He stated all the Lower Makefield Township officers are equipped with this and were the first Police Department in Bucks County to equip their officers with it and have even made some available to offer Police Departments throughout the area.

Chief Coluzzi stated within thirty days of being equipped with this life-saving drug, one of their Officers, Brian Holder, responded to a call and was able to save a young man's life. He stated this is the second time that Officer Holder has saved a life in the last five years. Officer Holder was presented with an award which Chief Coluzzi read into the record.

DISCUSSION AND APPROVAL OF ORDINANCE TO REFINANCE THE 2010 ISSUE

Mr. Gordon Walker was present and provided information this evening showing interest rates from 1982 to today. He stated what they are proposing is a short issue which will run six years. He stated there is \$8,490,000 outstanding with the rate at 3%. Mr. Walker noted Page 4 which shows the composition of the new issue for a total \$8,780,000 subject to the market. He noted Page 5 shows anticipated savings in excess of \$300,000 after expenses if take the savings in 2015.

Mr. Walker stated on February 18, they had anticipated a savings of \$287,000. He stated Page 7 is the portion related to the Golf Course.

Mr. Walker stated Page 8 shows the schedule of events, and they have a Rating Call with Moody's next Tuesday; and there should be a rating from them in three to four days. Mr. Walker stated the Township currently has a double A1 rating. He stated there will then be a competitive sale on the Internet which should get a lot of action. He stated they will be ready to go to market either the last week in April or the first week in May.

Mr. Walker stated the Ordinance before the Board is similar to what was done in 2013, and this authorizes the Bond sale to proceed assuming there is a minimum savings of \$200,000. He stated they do have the flexibility to pick the right day for the sale. He stated if they do sell the end of April, they will close thirty days later. Mr. Walker added that the savings could be higher than what has been shown.

Mr. McLaughlin moved and Mr. Dobson seconded to approve the Ordinance to refinance the 2010 Issue.

Mr. Benedetto asked the savings if they do not take it up front. Mr. Walker stated if the Township took it in equal savings over the length of six years, he estimates it could be \$325,000. He stated the later you take it, the more you get; however, he did not run that because a majority of the Board decided at a prior meeting on the up-front savings. Mr. Benedetto stated it seems that they could get an additional \$20,000 or more if they spread it out. Mr. Walker stated if they spread it over three years it could be \$310,000. Mr. Benedetto asked about taking it all at the end; and Mr. Walker stated while that could be \$350,000 you do have to be careful on the ones where you take it on the end because there are DCDE requirements that you have level debt service and he not sure taking it all in year six would be legal because then the debt service may not be level.

Mr. Benedetto asked the Board why they are giving up \$20,000. Mr. Walker stated if he were a Board member and was arguing for the up-front savings he would suggest that they take as much as they can now to benefit the taxpayers now and the fund balance since the fund balance is one of the biggest items related to the

rating, and is one of the few things that the Township can control that Moody's looks at. He stated this would still be a decision for the Board as to how they want to take the savings.

Mr. Dobson stated the Board had already discussed this, and Mr. McLaughlin stated he is comfortable with what the Board decided. Mr. McLaughlin also noted that this money would be going into an interest-bearing account. He stated he would prefer to have money available. Ms. Tyler stated they are not extending the debt. Mr. Benedetto stated he still feels they are giving up \$20,000. Mr. McLaughlin stated there is a time value to money and \$20,000 today would not be worth \$20,000 six years from now.

Mr. Benedetto noted page 4 where it shows the Underwriter's Discount and asked what this is. Mr. Gordon stated whoever buys the Bonds has to sell them, and they have to pay a Commission and make some money as well. Mr. Gordon stated they do not know yet because it will be a competitive sale whether that will be \$20,000 or \$100,000 because there are different ways of bidding. He stated if an Underwriter bids a low fee, they will charge a little higher interest rate to compensate so what is shown is just an estimate.

Mr. Benedetto asked about the Cost of Issuance at \$85,000; and Mr. Walker stated this would be the credit rating cost, Mr. Walker's firms fee, the Township solicitor's fee, the Bond Counsel fee, printing costs, advertising costs, etc.

Mr. Benedetto asked the amount of the Bond Counsel fee, and Mr. Walker stated it is \$15,500. Mr. Benedetto asked who is the Bond Counsel, and Mr. Walker stated it is Hank VanBlunk with Eastburn and Gray. Mr. Benedetto stated he is concerned with this since Mr. VanBlunk was a Campaign Manager for his own, Mr. Dobson's, and Ms. Tyler's campaign; and they did not put this out to Bid. Mr. McLaughlin asked Mr. Walker how much is this fee typically; and Mr. Gordon stated he would estimate that it would be between \$13,000 to \$22,000. Mr. McLaughlin asked Mr. Gordon if he felt \$15,500 was a reasonable fee, and Mr. Walker stated he did. Mr. Benedetto stated he feels it is "crony capitalism," and feels they are rewarding their friends with a no-Bid Contract. Mr. McLaughlin stated they are not hiding anything, and he has no relationship with Mr. VanBlunk, and any other attorney would charge the same or more. Mr. Benedetto stated he has been very consistent on this issue, and while they do not have to recuse themselves if they have a relationship with someone, he feels they should recuse themselves. Mr. McLaughlin stated Mr. Benedetto took funds during his campaign, and then later stated he did not feel it was right to take money from them. Mr. McLaughlin stated Mr. Benedetto had promised to refund the money after he was elected, and Mr. Benedetto stated he did refund the money. Mr. McLaughlin stated he will look into whether this was done.

Mr. Smith thanked Mr. Walker for his services in saving the Township money.

Mr. John Lewis, 1550 Surrey Brook Court, stated the American Banker has reported a dramatic increase in bank loans to local Governments partly because of low interest rates and the increasing costs of bond underwriting making traditional loans a better alternative. He asked if the Board had actively considered a bank loan in lieu of refinancing. He stated he understands a loan is being considered for the Community Center. Mr. Walker stated as already noted the rate they are discussing is 1.4%. He stated they did not consider a bank loan because they will incur most of the same costs and generally speaking bank loans are coming in at the high ones. He stated he feels they are going in the right direction with this proposal.

Mr. Lewis asked if they want to consider a larger amount in this refinancing to cover other things in the future. Mr. Gordon stated at this point it is late to add in new money, and he added they had this discussion with the staff some months ago. Mr. Gordon stated they could stop and discuss this again if the Board wants to, but this would result in a delay. Ms. Tyler stated they would like to take advantage of the rates as they are.

Mr. Harold Kupersmit asked if the Supervisors can borrow money in the EU where the rates are lower, and Mr. Walker stated he does not feel that this can be done.

Mr. Smith stated the Township should not forget that they are saving over \$300,000 by proceeding with this.

Motion carried with Mr. Benedetto opposed.

Mr. Fedorchak stated this is the fourth refinancing over the last five years. He stated in 2009 when the rates began to drop, he and Mr. Walker met and laid out a strategy and identified issues which were felt to be appropriate for refinancing. He reviewed the various refinancings which have been done since that time resulting in savings over the last five years of over \$3 million including this latest refinancing.

Mr. Benedetto asked what percentage of the Debt that was just refinanced is golf, and Mr. Fedorchak stated it is a little bit more than 40%.

APPROVAL OF EXENSION REQUEST – PETERS LOT LINE CHANGE

Mr. Garton stated this is a minor Lot Line change. Mr. McLaughlin moved, Mr. Dobson seconded and it was unanimously carried to approve the Extension request.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS - 705 STONY HILL ROAD

Mr. Fedorchak stated this is for the State Farm Office to replace the roof, and HARB did approve this with the understanding that there would be a certain type of roofing material used; and Mr. Sill, the owner, agreed to this condition.

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

APPROVAL OF CERTIFICATE OF APPROPRIATENESS – FLOWERS FIELD

Mr. Fedorchak stated there was a request for a temporary financing sign at Flowers Fields and HARB approved one temporary sign.

Mr. McLaughlin moved and Mr. Dobson seconded to approve the Certificate of Appropriateness for Flowers Field.

Mr. Benedetto stated he was the liaison and as part of the comments HARB indicated that the Board of Supervisors should entertain a single location for all project related signage.

Motion carried unanimously.

Mr. Garton stated the Board met in Executive Session for forty-five minutes to discuss Applications before the Zoning Hearing Board, the litigation involving Aria Hospital, and had a discussion for information only regarding a spring house.

ZONING HEARING BOARD MATTERS

With regard to the Anthony Sylvan Pools Variance request for J. Scott MacElroy for the property located at 1020 Farmal Court in order to permit construction of an in-ground pool resulting in encroachment into the setback, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the George Fox Zoning Hearing Board matter, Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to leave this matter to the Zoning Hearing Board but have the Township solicitor appear to make sure that appropriate Conditions are included in any Decision the Zoning Hearing Board may render.

Ms. Tyler stated the Lower Makefield Pool was nominated and is the Winner of the Bucks Happening List, and she encouraged people to join the Pool if they have not already done so. Ms. Tyler stated on Sunday, May 3 from 3 p.m. to 4 p.m. there will be a program commemorating the World War II Allied victory at the Masonic Hall with three local World War II Veterans present. Friday evening at St. Ignatius is the Blue Mass at 7:00 p.m. honoring all first responders serving Yardley and Lower Makefield and all faiths are welcome. Ms. Tyler stated the Secretary of their PECO Committee had a discussion with Senator McIlhinney, and there will be a meeting on Title 52 which regulates the utility providers and requires them to provide reliable service. Ms. Tyler stated tomorrow evening there will be a meeting regarding how the trees can be responsibly managed as it relates to entanglement with the power lines.

Mr. Benedetto stated the EAC met regarding the Municipal Open Space money, and they have identified a number of open space areas and met with Mr. Fedorchak. Mr. Benedetto stated the County Commissioners have still not ruled on the Township's Application. Mr. Fedorchak stated last year they had put together a Grant Application to get an Agricultural Easement for the Patterson Farm. He stated the Township went through the various agencies including the County Ag Board which approved the Application. It was for approximately one hundred acres of the Patterson Farm for an amount of approximately \$900,000; and the County Ag Board signed the Sales Agreement. Mr. Fedorchak stated the next step was for it to go to the County Commissioners, where he understands it was Tabled; and it has languished since.

Mr. Benedetto stated he understands that there is separate Municipal Space money in the amount of approximately \$450,000, and the Township submitted an Application for this; and Mr. Fedorchak agreed and stated the second one is now sitting at the County Open Space Board. Mr. Fedorchak stated he felt that everyone was very much in support of the first Application under the Ag Program, and it was a surprise that no action was taken by the County Commissioners adding that he felt it was an appropriate Grant for the Patterson Farm. He stated what the Township submitted was two separate programs and two separate Grant Applications.

Ms. Tyler stated she assumes that if the first Application is passed, they would not proceed with the second Application for Patterson Farm; and Mr. Fedorchak agreed. He stated he feels with regard to the \$450,000 Open Space Program, everybody would really like to continue to buy open space land but they were being "forced" into going in the Open Space direction for the Patterson Farm.

Mr. McLaughlin stated one Grant Application was \$900,000 and was earmarked for the Patterson Farm; and the second was the \$450,000 to be spent on Open Space. He stated he feels they should move forward with the \$450,000 amount and get something done.

Mr. Benedetto stated he feels there are a number of properties that would serve a purpose, and they just need to come up with a plan.

Mr. Smith stated they have approximately \$450,000 available for a period of time, and he asked if the Township has been as proactive as they could be in utilizing the \$450,000. Ms. Tyler stated she and Mr. Fedorchak met with the EAC and revisited the list that they previously presented, and they were going to do appraisals and identify the properties; however, she feels they need the County to tell them yes or not since until the County decides on the first Application, it makes it very difficult for the Township to strategize.

Mr. Dobson stated the \$450,000 is an allocation and the Township does not have the money in the bank, and they have to go to the County to advise them what the money would be used for. Mr. Benedetto stated they need a response from the County Commissioners on both Plan A and Plan B. Ms. Tyler stated their lack of response on the first Application prevents the Township from locking down the Patterson Farm which was a priority.

Mr. Fedorchak stated with respect to the Agricultural Grant/Easement, the County can control the amount they want to give the Township; and at least one third of that amount will be funded by the State so it is not all on the County.

Mr. Fedorchak was asked to send the County Commissioners a letter about their decision on the first request.

Mr. Zachary Rubin stated he agrees they should separate Plan A and Plan B. Mr. Rubin also noted that the voters of the Township authorized the Township through a Referendum to go out and buy land and to borrow millions of dollars. Mr. Rubin asked when this expires, and Mr. Garton stated he believes that it had a ten year life and the Referendum was in 2008. Mr. Rubin stated this is \$15 million, and they should consider that further. He stated if there are properties that have been identified, it was the will of the people of the Township to go out and borrow that money.

Ms. Sue Herman stated she felt two weeks ago they had asked Mr. Garton to look into a third party to do something with the Patterson Farm. Mr. Garton stated he and Mr. Fedorchak were given sixty days to develop some options for the Board to consider which would perpetually preserve the Patterson Farm without taking any County money.

Mr. McLaughlin stated he does not feel that they will get the \$900,000 and they want to start moving in a positive direction to get the Farm preserved. Mr. McLaughlin stated the Board had discussed pursuing an option to get the Farm preserved even if they would not receive money. Ms. Tyler stated it will actually cost the Township money if they enter into an Agreement with a third party. Ms. Herman asked how much it will cost, and Mr. Garton stated they are still looking into this.

Mr. McLaughlin stated the second issue is the Township's allocation in the amount of \$450,000 to purchase real estate. Mr. McLaughlin stated they were waiting to see what would happen with the first Application, but he now feels they should break them apart and look into what they can purchase with the \$450,000 allocation.

Mr. Benedetto stated there is also the other Application for the Patterson Farm for \$450,000 Municipal Open Space money, and they have not received an answer on this either from the County Commissioners.

Ms. Judi Reiss, 969 Princess Drive, stated she has an issue with Park & Recreation. She stated it is now April, and they have been waiting over a year to have a meeting regarding the Garden of Reflection issues. She stated currently she is the only person talking to "both sides." She stated the Preservation Committee is planning a designer bag Bingo fundraiser for June 18, and this event raised over \$10,000 last year with the money going to the Garden. Ms. Reiss stated they have to address now what will happen in September as they cannot have a repeat of what happened last year. Mr. Fedorchak stated there was a discussion previously about this issue, and something will be happening very quickly.

APPROVAL TO SELL POLICE VEHICLE

Chief Coluzzi asked for the Board to approve the sale of a 2007 Crown Victoria to the Morrisville Police Department.

Mr. McLaughlin moved, Mr. Smith seconded and it was unanimously carried to approve the sale.

POLICE DEPARTMENT DISCUSSION OF BODY CAMERAS

Mr. McLaughlin asked Chief Coluzzi to discuss the issue of body cameras for the Police and asked if this was part of the Accreditation process. Chief Coluzzi stated while they are not mandatory, if you do have them, you have to meet their

standards. Chief Coluzzi stated they had attended numerous demonstrations with other Police Departments to see what camera would be best suited for the Lower Makefield Police Department, and they have purchased the cameras. He stated it will take some time to implement them as they have to prepare a policy, have them set up, and address some technical issues. He stated he feels in one to two months every Officer will have a body camera. Chief Coluzzi stated he feels they are extremely useful, and they can protect the Police Officers and the Township from liability. He stated all the Officers are on board with this.

Mr. McLaughlin stated there are a number of issues related to the cameras including the security and the storage of the data obtained, and Chief Coluzzi agreed.

Mr. Fedorchak stated they received a Grant from the Delaware Valley Insurance Trust which will help pay for the cameras.

OTHER BUSINESS

Mr. Smith asked for an update on the Falcon which was a piece of machinery they had discussed previously for use by the Road Department. Mr. Fedorchak stated Mr. Kall will be before the Board on May 6 to present his analysis.

Mr. Smith also asked if it would be possible to have a winter roads critique discussing the State and Township roads and what they did right and what they can improve on. He stated he would also like to discuss the twenty-five year road plan.

Mr. Smith asked when they will receive the Bids on the Community Center, and Mr. Fedorchak stated they are putting the final touches to the design and getting the various Permits from the various regulatory agencies. He stated they will then prepare the Bid documents at which point it will go out to bid. Mr. Smith stated if it has not gone out yet possibly it would be the appropriate time to consider the LEED certification. Mr. Fedorchak stated this was discussed previously when Mr. Hibbs was present. Mr. Smith asked when the Bids will go out, and Mr. Fedorchak stated he estimated that it will be in June. He stated it would be less than sixty days to get the Bids back. Mr. Benedetto stated there were a number of alternates that were discussed.

APPOINTMENTS

Mr. Benedetto moved to re-appoint Alan Dresser to the EAC.

Mr. Benedetto stated the EAC is down two members, and Mr. Dresser is the current Chair and has a lot of expertise.

Mr. McLaughlin stated he feels it would be fair to first see if there are other candidates.

Mr. Smith seconded the Motion.

Motion did not carry as Mr. Benedetto and Mr. Smith were in favor, and Mr. Dobson, Mr. McLaughlin, and Ms. Tyler were opposed.

There being no further business, Mr. Dobson moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 9:25 p.m.

Respectfully Submitted

Jeff Benedetto, Secretary