

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – FEBRUARY 1, 2017

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 1, 2017. Ms. Tyler called the meeting to order at 7:30 p.m. and called the Roll.

Those present:

Board of Supervisors: Kristin Tyler, Chair
 David Fritchey, Vice Chair
 John B. Lewis, Secretary
 Judi Reiss, Treasurer
 Jeff Benedetto, Supervisor

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

PUBLIC COMMENT

Ms. Rebecca Kelly, stated she has lived in the Township for twenty-five years; and she is the Community Relations Manager for Capital Health in New Jersey. She provided information on the Hospital's locations which are close to Lower Makefield as well as information on the services they provide. Mr. Benedetto stated he, Ms. Reiss, and Chief Coluzzi had the opportunity to tour the hospital and he commented favorably on its attractiveness and services. Ms. Reiss noted her family was provided excellent care at their facility.

Mr. Brent Monahan, 17 Upton Lane, discussed Capital Health's Neuroscience Department. Ms. Kelly provided additional information on the work being done in this area at the Hospital. She also noted the free seminars they offer and stated information on these can be found on their Website and Facebook page. She stated they also offer speakers to come out to events.

Mr. George Baxter, 208 Arborlea, stated since the last Supervisors' meeting there has been an announcement by Elcon that they intend to go forward for Phase II, and they will submit it on February 21, 2017. Mr. Baxter stated his and other organizations they are aligning with will be looking closely at this Application. Mr. Baxter stated they have also purchased additional signs for those who need new ones if they need replacing.

Ms. Tyler asked Mr. Baxter if he is planning to review the Application with the Township's EAC; and Mr. Baxter stated they are working with other groups that are specialized. Ms. Tyler stated they have tasked their EAC to do a similar review. Mr. Baxter stated their Website is StopElcon.com, and the documentary he discussed previously should be completed this month.

Mr. Lewis stated they also had a legal review done over a year ago finding that the Township had Standing to sue Elcon if they choose that route.

Mr. Benedetto asked Mr. Baxter if they are coordinating with Bordentown or Governor Florio who Bordentown has hired, and Mr. Baxter stated they are working with a number of groups in New Jersey. Mr. Benedetto stated Representative Fitzpatrick had indicated during the Campaign that he was opposed to Elcon, and Mr. Baxter agreed that he is on Record as opposing this project. Mr. Baxter stated the review process could take up to two years. He stated the Delaware River Basin Authority is also involved. He stated the review is a very regimented process, and there are periods where they allow public comment.

Ms. Reiss stated she is most concerned about the transport of the materials, and they will be crossing bridges. Mr. Baxter stated Elcon initially indicated that they would only use one bridge coming from New Jersey to Pennsylvania. Mr. Baxter invited other concerned individuals to become involved in this matter.

Mr. Tony Kehoe, 476 Liberty Drive, expressed concern with the proposed sale of Township land to the Bible Fellowship Church. He stated he feels there was conflicting information; and in order to educate the community, he feels a copy of the power point that was presented should be made a link on the Township Website so that residents can access it.

Mr. Kehoe stated he made a Right-to-Know Request and wanted to review the drawings with the Township engineer. He stated he had an appointment schedule with the Township engineer, but he then received a call that the request had to be reviewed first by the Township solicitor before he could meet with the Township engineer. Mr. Kehoe stated he is a Registered professional engineer, and he does not know why two Registered professional engineers could not meet, look at the drawings, and discuss technical information. Ms. Kirk stated Mr. Kehoe requested two requests; and while she does not have the specific language with her, it was fairly comprehensive. She stated the problem is that Mr. Kehoe asked to review "the Township's files," and those files contain information that is attorney/client privileged and protected; and that is why it was put in for legal review first to make sure that those documents are not contained in the files. Ms. Kirk stated additionally the file is extremely large, and it will take some time for her firm to go through each of the documents; and it was not going to be done in time for the

appointment Mr. Kehoe had with the Township engineer. Ms. Kirk stated under the Right-To-Know Law, the Township is permitted to request an Extension in order to review and redact information that cannot be disclosed.

Mr. Kehoe stated the land being discussed was purchased by the Township thirty years ago, and he asked if the Board is aware of the circumstances under which the land was purchased. Ms. Tyler stated they did have a legal review done of this. Ms. Reiss stated Yardley Woods wanted to build a development; and the Township did not want development, and they went through eminent domain. She stated the Judgment was it was being claimed for passive recreation, and Mr. Kehoe agreed adding he was able to get “some friends to pull some files.” Mr. Fritchey stated it was also for “other Municipal purposes,” and it was not limited to passive recreation. He stated there were a number of considerations given to using that land for a variety of purposes.

Mr. Kehoe stated there was a Board of Supervisors declaration on 9/26/88 which specifically stated, “which said acquisition is necessary for Municipal purposes including active and passive recreation;” and Mr. Kehoe stated those are the primary stated reasons. Mr. Fritchey stated there is a difference between active and passive recreation; and he stated active recreation means they could turn that land into playing fields if it were suitable for it, although since it is not, that has never been done. Mr. Fritchey stated it is not passive like Five Mile Woods; and when it was acquired, it was acquired for either active or passive recreation or any Municipal purpose which could include building a road through there to get to the Township garages or a number of other things. He stated they also considered it as a potential site for a Dog Park. Mr. Fritchey stated Mr. Kehoe seems to be reading into this something that is restrictive, but it is actually very open ended.

Ms. Kirk agreed with Mr. Fritchey, and she stated the Declaration of Taking filed with the Court specifically stated that the purpose was to acquire real property for Municipal purposes including but not limited to active and passive recreation and opened the spectrum as to Municipal purposes.

Mr. Kehoe stated he is not arguing with this, but he feels the primary stated purpose was active and passive recreation; and it did not state that they wanted to build a road. He stated they had residents fighting to save the land to keep it undeveloped, and that was what was stated at the time it was purchased. He stated it did not state they would build a road or build a garage. Mr. Fritchey stated it states, “any Municipal purpose;” and that includes the possibility of building a road which was actively considered by the Board of Supervisors. Mr. Kehoe asked if that was considered at the time of the purchase; and Mr. Fritchey agreed it was as well as subsequently discussed at Park & Rec and Supervisors meetings.

Mr. Richard Adams, 221 Taylorsville Road, asked if Pennsbury School bus drivers notify their Supervisors of motorists passing their buses when the red lights are flashing. Chief Coluzzi stated the bus drivers do have a procedure to immediately notify the Pennsbury Transportation Authority who in turn notifies the Police Department; and depending on what information the bus driver has, Police Departments can act on information from bus drivers. Mr. Adams asked if this is information that can be obtained by residents on the street as to how many times that particular street has been called in. He noted specifically Taylorsville Road between Yardley Borough and I-95. He stated he wrote a letter to the Township Manager in 2016, and the problem is still continuing as people are passing buses that have their red lights on and children getting on the bus. He stated they do not see any Police protection on Taylorsville Road between Yardley Borough and I-95. Chief Coluzzi stated residents can ask for that information; and if the record exists, they would be entitled to it from the Police Department. He stated any calls that come in to the Police are documented on Incident Reports.

Mr. Fritchey asked Mr. Adams if he is seeing this occur frequently, and Mr. Adams stated he does at least once a month. He stated during the morning rush hour on Taylorsville Road, buses stop at four different driveways of peoples' homes; and he sees cars passing stopped buses going north to get on the Interstate. Mr. Fritchey asked Mr. Adams if he has spoke to Pennsbury authorities about this; and Mr. Adams stated he has not, and he only sent a letter to the Township a year ago. He noted other hazardous driving that takes place on Taylorsville Road. He stated the Township did post "No Passing" signs at the extremes of the Road, but he stated the signs are just blending in with the speed limit signs that are also not being adhered to.

Ms. Deanna Bocher, 2313 Weinmann Way, asked for an update on the status of the proposal from the Bible Fellowship Church. Ms. Tyler stated she has set up a meeting with Bible Fellowship next Wednesday to address the things Mr. Kehoe discussed including the specificity of their plans both short term and long term so they have the overall picture of their full intent. Ms. Tyler stated she also reached out to one of the Pennsbury School Board members and asked if they would consider additional parking at Edgewood, and they provided her with some information which she will pass onto Bible Fellowship. Ms. Tyler stated she feels all options need to be reviewed, and the Board is extremely cognizant of the sensitive nature of the Application they are making. Ms. Bocher stated there was a suggestion about a parking structure; and Ms. Tyler stated they are going to discuss all options, and this is just in the investigation stage.

Ms. Bocher asked the Township solicitor to provide an overview of the legal process for the Board to get a Conservation Easement put on the Township property under discussion. Ms. Kirk stated she feels they could go through the Bucks County Conservation District and work with them if there were to be an Easement in perpetuity on that land. She stated Mr. Fedorchak has dealt with the Conservation District more frequently than she has. She stated she feels it would be the Township giving up its rights to use that land in the future, and the Board of Supervisors would have to seriously consider this. Mr. Fedorchak stated one way would be to partner with another Party like Bucks County or any number of land trusts, etc. so that there is another entity involved which would be the controlling entity forever.

Mr. Benedetto asked Ms. Bocher if she is speaking about the entire twenty-nine acres, and Ms. Bocher stated she is. Mr. Benedetto stated there was a discussion about putting a Conservation Easement on the part of the 8.8 acres where the Church was not to put the parking lot on.

Ms. Reiss stated one group that was very interested was Audubon since there are a lot of migratory birds on this land. Ms. Bocher stated as to wildlife, there are whole habitats back there; and someone more knowledgeable than she could discuss this with the Board.

Mr. Lewis stated at the last meeting he did offer a Motion that was seconded by Ms. Reiss that would have sought a Conservation Easement on the full twenty-nine acres similar to what they did with the vast majority of Patterson Farm last year; however, his Motion did not pass, although hopefully it might in the future.

Ms. Bocher stated on March 21, 2012 this same issue regarding Bible Fellowship Church came up, and Mr. Benedetto had recused himself because he indicated he had attended services there; and she would like to know why he has not held himself to this. Mr. Benedetto stated at that time a number of people were upset with his actions including Mr. Stainthorpe who made a strong point indicating that if you shopped at certain stores you would feel that you had to recuse yourself from those issues as well. The Township attorney at the time indicated that Mr. Benedetto would be okay voting on the Bible Fellowship Church. Mr. Benedetto stated a number of Board members did not feel it was fair of him to pick and choose what he would or would not vote on. He stated currently he feels that if he is allowed to vote on something, which he is in this case as he called the State Ethics Commission who indicated he could, he feels he should as it would be a disservice to pick and choose what he wants to vote on. He stated he feels he was elected to make decisions. Ms. Bocher stated she does not feel there is any difference this time from the last time this matter was discussed. Mr. Benedetto stated this is a fair objection on her part; however, he feels if he can legally vote on something, he should do so. He stated he will not be recusing himself this time.

Ms. Tyler stated she will keep everyone posted on every step as they go along.
Ms. Bocher stated she is opposed to selling public land to a private entity.

Mr. Ed Gavin, 904 Sensor Road, stated at the last meeting when Bible Fellowship Church made their presentation, he assumed that they were proposing subdividing out 8.8 acres from the 29 acres that are there; and Ms. Tyler agreed. Mr. Gavin stated he assumes that there would be a highest and best use appraisal of the 8.8 acres, and Ms. Tyler agreed. Mr. Gavin stated if they are going to do this with this or any other Township property, that they should look at the whole asset the Township has at that time; and they should appraise the entire 29 acres as well at highest and best use since he feels it has a higher and best use as a bigger parcel. Ms. Tyler stated they would rely on their appraisers as to what is appropriate.

Mr. Fritchey asked Mr. Gavin what higher and best use he would envision, and Mr. Gavin stated R-2 Zoning in Lower Makefield. Mr. Fritchey asked if he is proposing that the entire tract be sold for Residential, and Mr. Gavin stated he is not. Mr. Gavin stated it was proposed that the land be subdivided into two parcels – one 8.8 acres and the other 21 acres; and he feels the taxpayers of the Township need to understand what the entire parcel is worth since if they were to subdivide the 8.8 acres which has frontage on Oxford Valley Road, the 21 acres would not have frontage on any road, and it has a Railroad track on one side, a Township Building on another side, a pool, and a School.

Mr. Benedetto stated the Satterthwaite parcel was subdivided from the Patterson Farm, and it was five acres, and it was appraised at five acres. Mr. Benedetto stated if they followed Mr. Gavin's suggestion, they should have appraised it for the entire parcel. Ms. Tyler stated they will have to work with an appraiser as to how it should be appraised if they even get that far.

Mr. Fritchey stated under Pennsylvania law, you cannot have landlocked land. He stated he would assume that there would be an Easement providing an entryway into the property. He noted there are a number of flag lots in the Township that are valuable pieces of property. Mr. Gavin stated he would assume that there would be an Easement specified in the Subdivision to get to the 21 acres, and Mr. Fritchey stated there would have to be.

Mr. Lewis stated the Board would have to make a Motion to subdivide the land, and this would have to go to the County and be followed and approved. He stated at that point they would have to make a determination to put the subdivided parcel out to Bid. He stated it is an R-2 property, and at that point anyone could Bid on the property. He stated if the parcel is 29 acres that has a value that is significant as

opposed to the 8.8 acres; and if they were going to Bid out the 8.8 acres, they could get much more if they sold the full 29 acres adding there was a developer who wanted the full 29 acres.

Mr. Gavin stated as a Township resident he would like to know what the whole plot is worth, what was the 8.8 acres worth, and what is remaining. He stated now he has learned that they would have to have an Easement given the proposal that was made. Others disagreed about the Easement. Ms. Tyler stated if they get to that point, all of this will be explained to the Board and to the residents as to the proper procedure.

Mr. Gavin asked if they will direct those kinds of appraisals if this goes forward the way it was presented; and Ms. Tyler stated she feels they would have to defer to the professionals as to the proper practice, and she feels it is premature at this time.

Mr. Lou Butler, 2320 Weinmann Way, showed a number of slides of the area under discussion with regard to the Bible Fellowship Church. He discussed the value of the silt pile which is a valuable habitat. He reviewed the vegetation in that area. He stated many people in the area are using the site to look at the vegetation and the wildlife. He also showed the location of a wooded wetland. Mr. Butler stated the Church had indicated they could pave the field, but they did not want to do so because they use the field; however, Mr. Butler stated the people who live in the area rarely see the field used by the Church. He stated because it is very lightly used, he does not understand why they could not pave it. He stated they indicated that they use the field for movie night, but they could have movie night on it if it were paved. He stated he also feels they have other options for the other uses they indicated they use the field for; but there are not replacements for the experiences the residents have at the silt pile and the other areas the Church wishes to purchase. Mr. Butler stated the Church had indicated they did not feel people would want to see a parking lot if they were to pave the field. Mr. Butler showed a slide indicating what the area looks like now, and what would be needed to block the view of cars in the parking lot; and he feels they would need only a 10' impediment for the most part. Mr. Butler stated he feels paving the field would be a good solution since the parking lot would then be close to the Church. Mr. Butler stated research shows when you put vegetation like what he has proposed near roadways, it slows down the speed of the traffic.

Ms. Jeannette Kelley, 1 Austin Road, stated they have a social presence on Facebook at LMTsaveouropenspace and on their Website at saveLMTopenspace.com for those wishing to get information about this issue. She stated it also includes a link to their Petition asking the Supervisors to save the open space; and they have reached almost 500 signatures in only 72 hours. She stated she also has twelve pages of typed comments about why people do not want the property sold to the Church.

Ms. Kelley stated people did express concern about the loss of so many trees in so many parts of the Township. Mr. Benedetto stated that while it is true that trees have been lost, they are planting hundreds of trees for an Arboretum in Memorial Park.

He stated they have also done a Tree Master Plan for the entire Township, and they worked with the EAC on this. He stated the Plan calls for close to 1,000 trees planned to be planted throughout the Township. He stated they also have \$250,000 in the Tree Bank.

Ms. Reiss stated the point is that this is a natural wildlife habitat which includes migratory birds and wild turkeys. She stated there are also cardinals and blue jays, and they are protected by the Federal Migratory Bird Act; and to disturb, disrupt, or destroy their habitat and nesting areas is not allowed. She stated this area also connects to the Brock Creek habitat and Silver Lake.

Ms. Kelley agreed to provide the twelve pages of comments to the Board of Supervisors.

Ms. Kelley read from the Township Supervisors' Manual as follows: "However, in those situations where there is a strong appearance of a conflict, but not an actual legal conflict of interest, the effected Township Supervisor should carefully weigh the impact of the appearance of a conflict when determining whether to vote or abstain. The appearance of honesty and impartiality is just as important as fulfilling legal requirements."

Mr. Kehoe asked Ms. Tyler where she stands on this issue, and Ms. Tyler stated she is investigating all possible avenues and has not yet made a decision. Ms. Tyler stated she wants to weigh all of the facts and take into account everyone's feelings and opinions. Ms. Tyler stated she had already read all the comments Ms. Kelley referred to earlier.

Mr. Kehoe stated he and a number of residents who are Registered professional engineers would like to go with Ms. Tyler when she speaks with the Church. Mr. Kehoe stated he is not against having the Church get a parking lot; however, he is against them getting a parking lot in that area for the reasons alluded to earlier. Ms. Tyler stated she is not sure their first meeting would be the appropriate time; however, she agreed to keep this in mind. Mr. Kehoe stated he is willing to help the Church to get a parking lot anywhere but at the location proposed.

APPROVAL OF MINUTES

Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to approve the Minutes of January 18, 2017 as written.

DISCUSSION OF TRAFFIC CALMING PROPOSALS FOR HILLWOOD TERRACE AND MAPLEVALE DEVELOPMENTS

Chief Coluzzi stated there is an extreme amount of traffic during rush hour every morning with cars trying to get on I-95, and this is creating a high volume of cut throughs and U-turns for those in Hillwood, Maplevale, and Taylorsville Road. He stated in an effort to provide relief for residents, the Citizens Traffic Commission, the Police Department, and TPD got together and came up with a traffic-calming proposal. He stated this proposal would place no left and right turn signs at specific locations along Taylorsville Road to stop people from using those areas for cut throughs.

Chief Coluzzi stated the other morning they had Police in the area, and they were stopping cars every five minutes for making U-turns, cutting through, and speeding; and they realized that the traffic direction app, Waze, was actually directing cars through those developments as a shorter route to get onto I-95. He stated they sent them a message that they are directing people to make illegal turns and cutting through developments and asked them to stop giving people those kinds of directions through those neighborhoods.

Chief Coluzzi stated in order for these traffic-calming measures to be implemented, PennDOT requires that at least 70% of the residents in that location approve of the no-turn signs. He stated these will be temporary no-turn signs until lights can be put in on Taylorsville Road and I-95 and the Scudders Falls Bridge is improved. Chief Coluzzi stated the Township issued survey letters to 233 residences, and as of this morning 67% of the people responded. He stated they will wait another week or two to see if they receive any more responses; however, it seems like from tallying the votes, the approvals are ahead of the disapprovals to implement these no-turn signs. Chief Coluzzi stated they do not expect to get 100% response so it would be 70% of those responding who would need to be in favor of this to proceed as this is a PennDOT requirement. He stated the Traffic engineer from TPD is also present this evening who is available to answer any questions. Chief Coluzzi asked that the residents get their responses back to them so that they get this moving in the right direction.

Ms. Tyler stated they are trying to stop people from speeding through the neighborhoods and making U-turns, and she asked if there is any downside to the proposed traffic-calming measure. Chief Coluzzi stated the downside is that all drivers would have to abide the new restrictions including the residents, and they cannot allow residents to violate any of the signs as it has to apply across the board. He added that it is a requirement of the Motor Vehicle Code that if you believe the signs are necessary for public safety, they would have to apply to everyone.

Chief Coluzzi stated the upside is it will prevent U-turns and all the cars from cutting through the area.

Ms. Reiss stated she feels this is an all-day issue, and not only during the rush hour.

Ms. Michelle James, 38 Maplevale Drive, stated her home overlooks Maplevale and Meadow Drive where the bus stop is located; and there are at least six Schools that come through the neighborhood to pick up children. She stated over the past seven years the situation has gotten worse; and she has had her trashcans knocked over on a weekly basis. Ms. James stated she was intentionally hit by a woman driving a car, and charges were filed against that driver. She stated her dog has also been almost hit repeatedly. She stated there is no reason for people to come in their neighborhood unless they live there or are visiting someone. She asked that this get done quickly as they have been working on this years. Ms. James stated she has been told by Police Officers that the morning is a very difficult time for them to be posted there because it is a shift change; however, Ms. James stated she does not feel shift change should last for the two hours that the residents deal with this on a daily basis.

Ms. James stated she has been diligent in trying to slow the traffic down, and she has put her trashcans in the middle of the street with a huge “No U-turn sign,” on them. She stated she feels she has probably made the situation worse for Highland Drive. Ms. James stated she has dealt with the Township Police at least three times; and she has always asked for a business card, but was only provided it one time when she was hit by the car.

Ms. James asked if the letters were sent to every resident of Maplevale, and Chief Coluzzi stated the Township sent out to a total of 233 homes. Ms. James stated she owns 24 Maplevale and 38 Maplevale; however, they did not receive one for 24 Maplevale. She stated she understands that some other residents indicated that they did not receive the letter from the Township. Ms. Tyler suggested that she contact as many of her neighbors as she can, and the Township could provide them copies of the letter because they want to get buy-in from the residents. Chief Coluzzi stated he does not believe there is a deadline in the letter as to when this must be submitted. He stated he understands that the letters went out last Friday so it may not be sufficient time for everyone to have gotten them back. Ms. Tyler asked Mr. Fedorchak to put something about this on the Township Website.

Mr. Chuck Brennan, 4 Highland Drive, stated that if he leaves Highland Drive and makes a right, there is no way for him to get into Maplevale where he has to pick up his Grandson and bring him home to Highland Drive. Chief Coluzzi stated he will have to look into this and make some adjustments. Mr. Brennan stated he has a family member who lives in the area who is a diabetic and gets medicine delivered early in the morning so there may be situations that need to be addressed.

Mr. Benedetto asked if it is possible for residents to have stickers on their cars so that they can make these movements; however, Chief Coluzzi stated it is a Vehicle Code Issue that if it is a safety issue for cars to go through the area, you cannot have residents going through. He added they cannot have the Police pick and choose who they will stop or not stop.

Ms. Linda Brown, 224 Meadow Drive, stated there must be a way for residents to return to their properties between 6:30 a.m. and 9:30 a.m. and she described a medical emergency she recently had which required her to quickly return to her home. She stated they should either give residents a large decal to put on their vehicles or put up small security cameras to catch violators making U-turns or driving through the neighborhoods. Mr. Benedetto stated that would be selective enforcement, and they cannot do that under the Law as noted previously by Chief Coluzzi.

Ms. Reiss stated she understands the problem for the neighbors since they need to be safe and they do not want the through traffic; however, they do not want to keep the residents from getting to their homes. Ms. Reiss stated she does not believe this will be a permanent condition, and it will just be until the Bridge is complete. Ms. Brown stated that could be a couple of years. Ms. Reiss agreed that there is no “win” for anyone. Ms. Brown stated in an emergency, you may not have time to drive all the way around to get to your home.

Ms. Jeanette Kelley asked if the 70% requirement only relates to those living on those streets or is it people who could be reasonably impacted by the changes. Chief Coluzzi stated it is only the people in the area. Ms. Kelley asked how they know who would be impacted in the area. She stated people on Social media are talking about going down Dolington and cutting through a different neighborhood. She stated last week there were Police Officers in the area, and the back up was eight to ten cars on Lower Hilltop; and her husband was delayed twenty minutes doing something legal. She stated those people were told that they were going to get tickets for making the right and for going straight.

Mr. Benedetto stated he believes there is a set guideline as to what neighborhoods are defined as impacted. Chief Coluzzi stated the streets were identified by the traffic engineers, the Police Department, and all the people who came to the Citizen Traffic Commission meetings; and they were not just randomly picked.

Ms. Kelley stated when the sign was put up on Dolington Road, the Police Officer who was there that day indicated that they were aware that the traffic would be diverted into her neighborhood instead. Ms. Kelley stated they have the same issues with U-turns, K-turns, running over trashcans, and driving onto properties; and they should not be taking a problem from another neighborhood and diverting it into a different neighborhood. She stated maybe when the Bridge is fixed, this will be taken care of; but they have been dealing with this for eight years in her neighborhood.

Mr. Michael Brennan, 6 Maplevale Drive, stated he is not for or against what is being proposed; and he does not feel it is necessary. He stated a U-turn is legal, but the people who are causing these problems are those who are making the U-turn and do not yield to other traffic. He stated the traffic laws that exist can be enforced; and if they are enforced, people will stop cutting through. He stated when the Police were in the area, there were a lot fewer cars making the U-turns the following day. Mr. Brennan stated his wife gets medical supplies delivered first thing in the morning, and UPS does not make left-hand turns; and they may have to alter their delivery process and she may not get her medical supplies when she needs them. Mr. Brennan stated there are laws that exist than can be enforced, but you need to have Police there. He stated even if they put the signs up, they will still need Police there so he feels the signs are unnecessary.

Chief Coluzzi stated you can now understand why 70% approval is required.

Mr. Brennan stated he recognizes that there are scheduling issues with the Police; however, there are laws that exist that are being violated every day, and if they enforce those laws, people will not want to waste their time there. Chief Coluzzi stated as soon as the Police Officer leaves the location, somebody will see that there are no consequences, and they will violate the sign and the law. Mr. Brennan stated this is true whether there is a sign or not. Chief Coluzzi stated he feels most people will be somewhat deterred if there is a sign there since they may feel there could be a Police Officer in the area who will issue them a ticket. He stated he feels it is more of a deterrent, and it will slow traffic down and stop the cut throughs to a degree.

Mr. Benedetto stated the comment was made about pushing the traffic further down; however, at some point drivers will realize that will take them even longer than staying in line.

Mr. Mark Cherepko, 32 Maplevale Drive, thanked the Township for recognizing that there is a traffic issue. He stated the card sent did not provide any room for comments. He stated the worst possible scenario is for nothing to happen since if people say they are against the no left turn, and nothing will be done. He stated he feels everyone understands the concern with the U-turns, but there is also the concern that they are restricting the residents from going into their own neighborhood and the potential for drivers to go into other neighborhoods and possibly make U-turns in those neighborhoods. He stated he feels what they really want is enforcement. He stated the resident at 16 Maplevale works the night shift and comes home in the morning and her question is when she comes off I-95 how can she get into her neighborhood if there are no left turns permitted.

Ms. Virginia Torbert, Citizens Budget Commission, stated she recognizes that this is a difficult choice. She stated this will be temporary recognizing the concerns expressed about the time for the Bridge to be completed; however, they have been told by the traffic engineer that within a year, they are going to be installing some traffic signals at the Yardley Interchange, and hopefully that will help the situation. She stated people are coming southbound on Taylorsville or Woodside from Washington Crossing and New Hope, and they want to get on I-95 North. She stated there is a very long line, and they do not want to wait so they bypass the traffic and turning into the first two streets they come to so that they can make a U-turn. She stated those streets are Maplevale and Highland. She stated the point of the proposal is to discourage that behavior, and they suspect that there are twenty to thirty repeat offenders that do this every day. She feels once the traffic signals are in place bypassing the line would then have to wait at traffic lights, turn, and then wait at the lights again.

Ms. Torbert stated they cannot set aside a class of people that the Police would not enforce this on. She also stated U-turns and K-turns are not illegal, and the Police cannot give tickets to people who are not doing illegal things. She stated the Police also cannot be there all the time. She stated the point of this was to try to change the behavior. She stated possibly some of drivers will get on I-95 in Newtown. Ms. Torbert stated she recognizes there are huge safety concerns because of the locations of the bus stops in the area.

Ms. Tyler asked if they should consider temporary speed bumps to discourage the turns since it may only be eight to twelve months until the lights are installed. Mr. Benedetto stated he does not feel people would want them in front of their homes. Ms. Torbert stated she understands even temporary speed bumps have a lot of regulatory requirements, and they also have to be a certain distance from an intersection.

Ms. Tyler stated they understand that there is a problem they are trying to work around. She stated the residents may not be in agreement on the remediation depending on where they live. Chief Coluzzi stated that is the primary reason why they do not impose these traffic restrictions on neighbors; and they give the neighbors a say by sending out the letters and giving them the option as to what they feel is best for their neighborhood. He stated he does not impose anything on residents if they do not want it unless it is an absolute safety issue like a line of sight or stopping distance issue. Chief Coluzzi stated it residents wish to make comments, they can contact Traffic Safety Officer Tom Roche whose number is on the letter. Chief Coluzzi stated they will be guided by whatever the highest percentage of the neighbors decide if it is over 70%.

Mr. Timothy James, 38 Maplevale, asked why they could not put an Officer there in the morning every day. Chief Coluzzi stated with the staffing they have and the amount of attention they have to devote to many high traffic areas and crime, etc. they could not have an Officer at one area every day.

Mr. Richard Adams, 221 Taylorsville Road, stated he is directly across from the Maplevale south entrance. He asked how can the residents who received cards determine that the Township received their cards back and that they did not get lost in the mail. Chief Coluzzi stated the Administrative staff sent out the letters, and they are providing him updates every day on the replies. Mr. Fritchey stated someone from the neighborhood may wish to volunteer and they could come in and look at the names they have received cards from. Mr. Fedorchak stated those interested in knowing if their card was received could also just call the Township. He stated if they did not receive his response, Mr. Adams could provide another one to the Township.

Mr. Adams asked if this item will be on the next meeting's Agenda. Chief Coluzzi stated they felt it would be appropriate to wait for at least another meeting before they complete tallying all the responses and then let the residents know how they will proceed. He stated they could extend this if they wished to do so. Ms. Tyler stated she feels a little more time would be appropriate to make sure residents had the opportunity to get their cards in so they will skip it at the next meeting and have on the Agenda for the meeting after that. Mr. Adams asked if it will be possible at that time to be told how many voted from the Hillwood Terrace area and how many from the Maplevale area. Chief Coluzzi stated they should be able to break it down by Hillwood, Maplevale, and Taylorsville Road. Mr. Fedorchak stated they can contact his Assistant, Barb Ellison.

Mr. Adams asked if someone voting one way could change their mind after listening to all of this discussion. Mr. Fritchey stated at some point there has to be some degree of finality. Mr. Adams stated there was no pre notification of this happening and all of the sudden they got a letter in the mail but it did not include all the

variables that they are now discussing; and now they may want to change their vote. Mr. Benedetto stated he feels that they could change their mind in the next few days and advise Ms. Ellison.

Mr. Adams stated at other locations in Pennsylvania during rush hours Inter States and limited access highways have traffic signals used to meter entering traffic, and he asked if this has been considered for I-95. Chief Coluzzi stated that has been discussed with the traffic engineers as part of the Scudders Falls Bridge improvements project. He stated they have discussed putting cameras up to monitor traffic and lights at those locations. Chief Coluzzi stated they believe that in the springtime when they put in the traffic signals at the I-95 Interchanges, that it will alleviate a great deal of these issues. Mr. Adams stated those traffic signals will be on Taylorsville Road and not up on I-95. Ms. Tyler stated the traffic studies and the signalization of the intersections is the purview of the Bridge reconstruction and the State. She stated the Township has not asked them to do the specific thing that Mr. Adams has suggested. Mr. Benedetto advised Mr. Adams he could write a letter to PennDOT about his suggestion as this is not within the purview of the Township. Mr. Adams stated he feels a letter from the Board of Supervisors would be better than if he wrote a letter. Mr. Benedetto stated it would be just as powerful coming from Mr. Adams since he lives right there.

Mr. Adams asked who studied and established the times of 6:30 a.m. to 9:30 a.m.; and Chief Coluzzi stated this came out of discussions with the residents at the Citizens Traffic Commission meetings and the Township traffic engineer. Mr. Adams stated since he got the letter he has noted that 7:30 a.m. to 8:30 a.m. is the time when the majority of the traffic backs up, and after 8:30 a.m. it thins out very quickly. He stated he believes 6:30 a.m. to 9:30 a.m. is an excessive period of time, and he would propose 7:30 a.m. to 8:45 a.m. at the latest. Several Board members indicated that this was a good point.

Mr. Adams stated currently School buses turn left into Maplevale south at 7:40 a.m. and 7:55 A.M. He asked if the Pennsbury School District has been notified about this proposal, and Chief Coluzzi stated they have been notified that this is a proposal that may effect their routes.

Mr. Adams asked if the Delaware River Joint Toll Bridge Commission is going to pay for these signs or will the Township taxpayers pay for them, and Chief Coluzzi stated the Township will be paying for the signage. Mr. Adams stated in the past twelve years they have spent toll money to pave sidewalks in Morrisville and put up a traffic light in Lower Makefield when they should have been spending their money getting on with the design, implementation, and building the bridge; and they have made this problem happen by their “negligence and incompetence.”

Mr. Adams stated he lives on Prospect Drive which is a private drive which was “forced down his throat” by the governing Board in Lower Makefield in 2004. He stated this gave DeLuca the ability to do what they wanted. He stated since then they still have the problem of people turning around, and he has written to the Township requesting stop signs to be moved from the bottom of his driveway; and he has been denied. He asked who is going to rule in his favor to get the stop sign taken off of Prospect Drive which is a private drive being paid for by the taxpayers. Mr. Benedetto stated Mr. Adams had indicated earlier that he lived at 221 Taylorsville, and Mr. Adams agreed that he does. He stated 219 is across the private drive, and there is a shared driveway agreement which is barred by the Township Code Book. Mr. Fedorchak stated he feels this is something that they need to address with the Township traffic engineer, and he understands that there are three or four homes that use that road. Mr. Fedorchak stated while it is a paper street, there are four homes that access it to get to Taylorsville, and Mr. Adams agreed. Mr. Fedorchak stated he feels in the interest of safety having a stop sign there is a very good idea; however, they can have their traffic engineer look at it. Chief Coluzzi agreed to look at this tomorrow.

Mr. Adams stated he is near an Inter State exit, and everyone who is lost constantly comes down and then turns around. He state there are currently three private drives with “No Public Access” signs plus a “No Trespassing” sign. He stated he does not want to keep having to call 9-1-1, but there are people coming there who feel that they have the right to turn around there. He stated since there is a stop sign there, they feel it has to be a public street. He stated if he can get the stop sign removed, and they paint the white line there, he would have a better chance.

Mr. Albert Scerbo, 29 Concord Lane, stated he is opposed to the proposed traffic calming restrictions whether they are temporary or permanent. He stated he does not feel it is necessary, and this is a well-intended but misguided process. He stated from a safety perspective, he does not feel it is going to provide any more safety considering some of the violations including rolling through stop signs and speeding through the neighborhoods are being done by his own neighbors. He when he leaves for work between 8:00 a.m. and 8:30 a.m. coming down Hillwood Drive to Taylorsville, he has seen a few people making U-turns in Hillwood. He stated he has never had to stay in a line that is eight to twelve cars long, and he has never seen anyone driving into the neighborhood when he is trying to get out. He stated he feels Maplevale has a bigger problem than Hillwood. He stated the traffic calming proposed for Hillwood would require him to take nearly a two-mile detour to go in through Lower Hilltop. He stated the woman who advocated for the restriction that was put in at Lower Hilltop a few years ago no longer lives in the neighborhood anymore, but the sign is still there. He stated to get back to his neighborhood when he returns from Afton, he is required to take a two-mile trip. Mr. Scerbo stated

while he appreciates what they are trying to do, he is not interested in the proposal since he bought in the neighborhood with full knowledge that there were two entrances in and out; and it was easy for him to get where he needs to be particularly to his work. He stated he did send in his response card stating he was opposed to this.

Mr. Adams asked if it is legal to have a governing body pass an Ordinance to put “No U-Turn” on a Township road, and Chief Coluzzi stated it is. Chief Coluzzi stated they are also dealing with the cut throughs, speeding, and other issues. Mr. Adams stated he does not really see that many turning into Maplevale south in the morning during rush hour.

Mr. Daniel Inverso, 46 Highland Drive, stated in Philadelphia people have parking passes to allow them to park in their neighborhood but Chief Coluzzi has indicated that PennDOT does not allow them to be selective in enforcement so he questions why they can do this in Philadelphia. Chief Coluzzi stated parking is not governed by the Vehicle Code and what Mr. Inverso is discussing is a parking issue. He stated what they are talking about in the Township are moving violations and safety issues. Mr. Inverso stated if they put up a no U-turn sign, the person who makes that U-turn now on Maplevale and Highland is breaking the law. Mr. Inverso stated all he would be doing is pulling into his home so he would not be breaking the law. He stated he feels they should try “No U-turn” signs before they have no right-hand turn signs.

Chief Coluzzi stated this matter came about as a request from the neighbors in this area to the Citizens Traffic Commission and the Police Department. He stated they do know that a problem exists with the cut-throughs. He stated this is why they are trying to come up with some way to alleviate this and give the residents some relief; however, they also know that everyone may not be in agreement, and this is why they sent out the letters.

Mr. Dan Grenier, 3 Highland Drive, stated he has been talking to the Township about this for over a year; and he has attended the Citizens Traffic Commission meetings. He stated he works from home, and his office looks down at the intersection of Highland and Upton and he is a few houses up from Highland and Taylorsville. He stated this morning in twenty minutes he counted twenty-five U-turns between Taylorsville and Upton, and he has them on video. He stated he works for a large engineering firm and does traffic counts. He stated he did approximately one week of traffic counts and has over 300 videos on his phone, and he has sent a number of them to the Board so they can get a feel for what is happening. He stated the idea that this does not happen often is false. He stated he has had his car hit by a hit and run driver with \$3,000 worth of damage, his yard has been run over countless times despite installing vegetation to try to slow the cars down, and his mailbox has been

hit six times. He stated it is also a bus stop and buses stop there at 6:30 a.m. and 8:30 a.m. He stated with regard to the restriction being proposed to be between 6:30 a.m. and 9:30 a.m., the traffic is very bad between 7:00 a.m. to 8:45 a.m.; and after 8:45/9:00 it is done. Mr. Grenier stated he feels they could reduce the restricted times as he feels 9:30 is excessive. He stated he also sees the same cars doing this every day, and approximately every minute there is a U-turn taking place between Taylorsville and Upton for the hour and a half/two hour span. He stated it is very difficult for his wife to back out of their driveway in the morning, and people are beeping at her when they make the U-turn, and it is very unsafe.

Mr. Fritchey asked if he would estimate that there are about 100 to 150 regulars doing this, and Mr. Grenier agreed. He stated this is also only the Hillwood side, and he has not done counts at Maplevale. He stated he feels bad about the no left turn restriction at either of the entrances at Maplevale; and if there is any way to make this work without that and still give them relief, he would be in favor of it. He stated in terms of the Highland/Hillwood Terrace side this stretch during the time of day he has indicated is awful, and anything they can do would be very much appreciated.

Mr. Grenier asked Chief Coluzzi if he could take action based on the videos he has, and Chief Coluzzi stated he could not although he has seen most of the videos that have been provided.

Ms. Reiss asked if there is a way they could set up a camera; and if they find that someone has run over someone's yard, hit their mailbox, or made an illegal left could they use that. Chief Coluzzi stated they could not, and there would have to be Ordinances and Regulations set up as well as permission from the State in order to act on a video for a violation.

Ms. Tyler asked if they could just have a "No U-turn" sign at Mr. Grenier's entrance and a "No Left Turn" sign on Maplevale closest to the I-95 bridge; and Chief Coluzzi stated that was looked at and the traffic engineer knew that if you have one "No Left," they will just go to the next street. Ms. Tyler stated she feels they need to look into all of this further.

One gentleman asked what the fine is now for making an illegal left, and asked if it is \$5; however, Chief Coluzzi stated it is quite a bit more than that plus there may even be points although he would have to check the Vehicle Code. The gentleman stated if there were a "No U-Turn" sign and a Police Officer was there for a few days, once people start getting tickets, he feels that would be enough of a deterrent. Chief Coluzzi stated he would be happy to look into any suggestions; however, his understanding is that it is not just U-turns, and it is the volume of traffic going through the neighborhoods and the way they are driving through the

neighborhoods. Chief Coluzzi suggested that they get the results from the survey and be guided by that as to what direction they are going to take. He stated there is a process in place, and he would like to see the results first. Ms. Tyler asked if they will discuss those results at the Citizens Traffic Commission meeting, and Chief Coluzzi stated it would be up to the Board where they would discuss this.

Ms. Jeannette Kelley stated she spoke to the Township Traffic Safety Officer today with regard to the “No Through Traffic,” and he indicated that would not be practical; and it would require a Police Officer to follow that driver throughout and do that repeatedly over a period of time. Ms. Kelley stated the issue with her neighborhood is that every time something gets enforced in some way, she takes pictures of the people being pulled over; and the next day, they are still doing it.

DOG PARK UPDATE

Mr. Eisold stated the Township is waiting for the formal notification from the DCNR with regard to the Dog Park; and as with all Grants, there is a process that has to be followed. He stated once they receive the notification letter, there will be a conference between the DCNR representative, Park & Recreation and himself to discuss the process. He stated they will have to review the Plans before they okay them for the Township to go out to Bid for the projects. He stated they hope to go out to Bid the beginning of May. He stated he understands there has been some progress with regard to the additional property to be obtained from Makefield Glen.

Ms. Kirk stated she has submitted this information to Mr. Eisold’s office. She stated as part of the Grant process, the property was condemned, and she sent a notice to the attorney for the Association with the Offer of Settlement payment; and the Township has the right to go onto that area. She stated the Township has possession of the condemned area right now. She stated this was a friendly condemnation worked out with the Association and a mutual agreement was reached with respect to what would otherwise be a just compensation required to be paid.

Mr. Benedetto asked Mr. Eisold to comment on the area where trees were removed, and Mr. Eisold stated the purpose of the removal was to remove the vegetation during the winter months and not specifically the trees initially. He stated it would be much more difficult and more expensive to get that vegetation out once it is grown up as opposed to doing it at this time of year. He stated it was also discussed that if there were some unsafe trees there which would not be safe for people or their dogs, those trees should be removed. He stated he feels approximately five to six trees were removed, and they did take away a lot of dead material. Mr. Eisold stated it could look sparse in the area because many of the trees do not have leaves

on them at this time of year. He stated during the summer months, the trees will form a canopy and provide shade. Mr. Lewis asked when the project would be completed if they went out to Bid in May, and Mr. Eisold stated it could be completed by the beginning of October.

APPROVAL OF EXTENSION OF KAPLAN SUBDIVISION

Ms. Kirk stated Mr. Kaplan is out of town and has requested that his Subdivision Application be considered by the Board next month in March. She stated she spoke with his attorney, and she has received via e-mail an appropriate Extension which included waiving of any time constraints under the Municipalities Planning Code; and she had submitted this to the Township.

Mr. Lewis moved, Ms. Reiss seconded and it was unanimously carried to approve the Extension of the Kaplan Subdivision until April 29, 2017.

APPROVAL OF RESOLUTION NO. 2332 AUTHORIZING ACCEPTANCE OF LAND LOCATED ON ELM AVENUE

Mr. Fedorchak stated a short time ago representatives of the Mullen family approached the Township with an offer to donate three Lots that they owned in the Arborlea section of the Township. He stated the Lots total close to an acre, and they are located between Pine Grove, Maplewood, and Arborlea. He stated it is relatively close to a recent Open Space acquisition of the Township which is the Regan Tract which was approximately six to seven acres which they were able to acquire under the County Open Space. Mr. Fedorchak stated with regard to the Mullen property, the family had looked at the possibility of developing the property; but the property does have a good deal of protected natural resources throughout. He stated he would recommend that the Township accept their offer. Mr. Fedorchak stated it is possible that the Township may be able to pick up some other Lots in this area.

Mr. Lewis moved, Mr. Fritchey seconded and it was unanimously carried to approve Resolution No. 2332 authorizing acceptance of land located on Elm Avenue.

SUPERVISORS REPORTS

Ms. Reiss stated the Farmland Preservation Corporation hopes to make a presentation to the Board closer to the spring to explain what the Corporation is. She stated they help manage farmland, and you do not have to be a farmer to serve on the Corporation. She stated they are looking to fill two vacancies.

Ms. Reiss stated Special Events will be meeting Thursday, February 9, and she asked those interested in working on upcoming community events such as the opening of the Community Center, Family Community Pride Day, and the Veterans Parade to join them at this meeting on February 9 at 7:00 p.m.

Mr. Lewis stated the Economic Development Commission has two openings, and hopefully they will fill one tonight. He stated the Zoning Hearing Board will not be meeting on February 7 due to lack of an Agenda.

Mr. Benedetto stated the Planning Commission discussed the review of the Master Plan, and they have been provided electronic copies of the Master Plan. Ms. Kirk stated the Commission indicated that they would provide final comments by March 31. She stated the Township Zoning Officer did circulate electronic copies of the Master Plan Update with the Overlay Maps, and he is in the process of obtaining the red line version from the Bucks County Planning Commission to try to streamline what needs to be reviewed by the Township Planning Commission.

Mr. Benedetto stated an individual has been in touch with the Township about the Kaplan Subdivision, and there is some dispute. Ms. Kirk stated her office is doing research on this, and she has copies of everything that has been submitted to the Township; and her associate is reviewing the Township files dealing with that development with regard to the sewer line.

Mr. Benedetto announced that John Greaves, YMS, was named the National Coach of the Year. He also announced that Charlann Farms won the Southeastern Region Corn competition.

APPROVE INCREASE OF COMPENSATION FOR TAX COLLECTOR

Ms. Tyler stated this involves how the Tax Collector is compensated, and she has not received an increase since 1993; and she has requested a \$1 increase.

Mr. Fritchey moved and Mr. Benedetto seconded to grant the increase as requested.

Ms. Jeannette Kelley commented on the positive experience she had dealing with the Tax Collector.

Motion carried unanimously.

ROAD PAVING PROGRAM

Mr. Eisold stated at the last meeting they discussed the Road Paving Project, and he asked that if any of the Board members have additional suggestions that they get them to him shortly as they would like to out to Bid next week. The Board had no other recommendations at this time.

MOTION REGARDING CSX

Mr. Eisold stated with regard to the power off lights at the Quiet Zones, SEPTA is in the process of installing these; however, they have been going back and forth with CSX to get them to do the same, and they have not been as easy to work with as has SEPTA. Mr. Eisold stated last week they received a letter from CSX with an Amendment to the original Agreement they had with them to install the power off lights. He stated he is asking for approval to have the letter signed so that they can move forward; however, CKS is also asking for more money to do this in the amount of \$52,000 although he feels it should cost less than that. Mr. Eisold stated this would be an escrow, and he feels CSX is being ultra conservative with the number. Mr. Fedorchak asked if they are saying the lights will cost no more than \$52,000; and Mr. Eisold stated they are saying this will cover it, although he feels the Township should get some of it back.

Ms. Kirk stated if the Board is inclined to approve this request, she would recommend that the Approval be subject to review and approval by the Township engineer and Finance. She stated she did not see the Addendum although she did see the original Agreement. She stated to be safe, she would recommend that Finance review it to be sure that there is not an overpayment on the expenses under the Agreement. Mr. Eisold stated he feels CSX has been submitting their Invoices.

Mr. Benedetto moved, Mr. Fritchey seconded and it was unanimously carried to approve the Amended Agreement with CSX concerning installation of lights on the tracks subject to review and approval by Finance and Legal.

OTHER BUSINESS

Mr. Benedetto stated Mr. Grenier is present, and he has brought up an issue to him regarding PECO. Mr. Dan Grenier, 3 Highland Drive, stated the Hillwood Terrace Development is approximately 69 acres and was built in the 1960s. He stated PECO has a Blanket Easement that covers all these acres which was issued first in 1948 and then in 1955. He stated it is not a typical Utility Easement. He stated the development was built in the 1960s and Recorded in 1995; and the Easements were

never updated to reflect the actual development as you might if you were putting in a new housing development, and a typical Utility Easement was not written to go along with how the utilities were actually constructed. He stated what they have is a Blanket Easement written over an entire neighborhood. He stated he has had discussions with PECO about this, and the Real Estate representatives made an “off hand” comment that they could put transformers on their roofs if they felt like it because of the nature of the Easement. He stated he has since stepped back to allow the Township go through the process with PECO.

Ms. Tyler asked if this was not reflected in the Title Report when he purchased his home, and Mr. Grenier stated there is nothing specific about PECO. Mr. Grenier stated at one point he provided information to Mr. Garton and at a Board meeting in November, 2015 it was indicated that Mr. Garton would look into it. Mr. Grenier stated Mr. Garton responded to Mr. Fedorchak in 2016; but he basically sent back the same Easement that Mr. Grenier had already provided indicating there was a Blanket Easement, and there was no legal opinion provided at that point. Mr. Grenier stated he had asked if Mr. Garton could look at the Deed Books as the neighborhood was described and Recorded in 1995 to see if there is a conflict between how the neighborhood was Recorded versus the Utility Easement, but he does not feel this was ever done. Mr. Grenier stated Mr. Garton did respond in the last month or two indicating they have a Blanket Easement and not much can be done about it.

Mr. Fedorchak stated Mr. Garton had indicated that in his opinion, it was legitimate; and that there was a single property owner of this large area who conveyed the Easement over to PECO. Mr. Fedorchak stated while this is not what is done today, it was not uncommon at that time. Mr. Fedorchak stated Mr. Grenier had expressed some concerns about things that could possibly happen, and Mr. Fedorchak had indicated that the Township would be very willing to assist the property owners in resolving any complaints or grievances they have with respect to any installation of transformers on roofs or whatever happens. Mr. Fedorchak stated he has been involved with a number of utilities including PECO, Comcast, and Verizon interceding in projects that have gone slightly awry where property owners filed complaints. He stated in one case, the Township was legally able to issue a Stop Work Order. He stated he is very confident that the Township can help them with any issues that might arise in the future.

Mr. Benedetto stated at one point he understood that PECO workers came out and indicated they were going to reinstall a pole and move it, and that is what precipitated a sense of urgency. Mr. Grenier stated PECO is upgrading their system, and they need to increase the size of the poles by 5’ which will move the equipment that much higher, and they need to have the guides go further into the yards.

He reviewed the areas where they are going to be replacing poles as well. He stated the work is starting very soon which is why trees were removed. He stated this is why they were concerned about it most recently.

Ms. Kirk stated Mr. Grenier indicated that there was an Easement from 1955 but that the Development Record Plan was not Recorded until 1995; and she asked Mr. Grenier if he went and looked at the Linens to see if there were any notations or descriptions on the PECO Easement. Mr. Grenier stated he did not because it was a neighborhood issue, and they were trying to deal with this through the Township since it effected so many people. He stated if someone at the Township is not directed to do this, he will have to find the time to do it on his own. Ms. Kirk stated typically when you purchase a property, you take it subject to whatever Easements are Recorded of Record so she is assuming that the developer acquired the property from the prior owner subject to the PECO Easement. She stated she does not know if there were any negotiations between the developer and PECO that may have modified the Easement but have not been Recorded. Ms. Kirk suggested that he go to Doylestown to look at the Linens as he would know what to look at on the Plans.

Mr. Tyler stated if PECO takes some action that is outside of the normal customary right-of-way provisions and utility provisions in the neighborhood, then the Township would take some action as far as investigating; and Mr. Fedorchak agreed.

APPOINTMENTS

Mr. Fritchey moved, Mr. Lewis seconded and it was unanimously carried to appoint Danielle Compain to the Economic Development Commission.

Mr. Fritchey moved, Ms. Reiss seconded and it was unanimously carried to appoint Soumya Dharmavaram to the Environmental Advisory Council.

Mr. Fritchey moved, Mr. Benedetto seconded and it was unanimously carried to re-appoint Kevin Treiber to the Emergency Management Commission.

Mr. Fritchey moved, Mr. Lewis seconded and it was unanimously carried to appoint Brendan Monaghan to the Trenton Mercer Airport Review Panel.

Mr. Benedetto moved, Ms. Tyler seconded and it was unanimously carried to appoint Mr. Joe Menard to the Trenton Mercer Airport Review Panel.

Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to appoint Joanne Guiniven to the Trenton Mercer Airport Review Panel.

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Mr. Benedetto moved, Mr. Fritchey seconded and it was unanimously carried to appoint Richard Gauck to the Sewer Authority.

There being no further business, Mr. Lewis moved, Mr. Benedetto seconded and it was unanimously carried to adjourn the meeting at 10:55 p.m.

Respectfully Submitted,

John B. Lewis, Secretary

