

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – MARCH 5, 2014

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on March 5, 2014. Vice Chairman McLaughlin called the meeting to order at 7:33 p.m.

Those present:

Board of Supervisors: Dan McLaughlin, Vice Chairman
 Pete Stainthorpe, Secretary
 Kristin Tyler, Treasurer
 Jeff Benedetto, Supervisor

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 Maryellen Saylor, Township Engineer
 Kenneth Coluzzi, Chief of Police (left meeting in progress)

Absent: Dobby Dobson, Board of Supervisors Chairman

PUBLIC COMMENT

Mr. Bernie Goldberg, 1304 University Drive, stated there was a major storm on February 5 which caused a substantial amount of damage. He provided pictures this evening that show trees laying on lines on 332. He stated a week after the storm he called the Township about this, and he was told by an administrator that it was a PECO problem; and that he should call them. Mr. Goldberg stated even though this was not anywhere near his home, he did call PECO and they advised him that it was not their problem but was a cable problem. Mr. Goldberg stated another week went by and on February 25 he sent an e-mail to Mr. Fedorchak and copied the Supervisors about this situation. He stated while they were removed the next day, he feels there is a problem with this process. He stated he does not feel that the Township should tell a resident to call PECO for a problem that does not involve the resident at all; and this did not alleviate the danger that existed. He stated he feels that if a resident calls the Township about a dangerous situation, the Township should assume responsibility to contact the appropriate utilities and make sure the problem gets rectified.

Mr. McLaughlin asked Mr. Fedorchak to discuss the procedure when a resident contacts the Township, and Mr. Fedorchak stated anytime they see a situation like this or if a resident brings that to their attention typically Public Works will follow through and determine whose responsibility it is and make the appropriate call. He stated the Police Department does this as well. He apologized to Mr. Goldberg for the response he received which is not consistent with the way the Township handles things. Mr. Stainthorpe stated he feels they need to have a discussion with the staff since what Mr. Goldberg received was not an acceptable response. Mr. Benedetto asked who took the trees down, and Mr. Kall stated it was Verizon. Mr. Fedorchak agreed to remind the staff of the protocol.

Mr. John Lewis, 1550 Surreybrook Court, stated he feels the last Supervisors meeting was distressing for residents who were looking for the Board to take more affirmative action as it relates to PECO. He stated Mr. Moffa had provided a number of very constructive communication suggestions to improve the communications. He stated one Supervisor had recommended a citizens commission to address the issues related to PECO and another Supervisor had indicated it would be best to bring this back to the next Supervisors' meeting, but it was not on the Agenda for this evening. Mr. Lewis stated he feels the Board acts aggressively when they feel certain things are in their interest; but when it is time to serve the citizens, they have not proceeded with issues related to PECO. He stated he does not feel this is a partisan issue, and he noted in Warminster Township there is a Republican who issued a Board Resolution condemning PECO's performance on up time and sent a letter to the Governor which made the news. Mr. Lewis asked if the Board of Supervisors is willing to issue a Resolution condemning PECO's poor performance and requiring them to come to the Board and to find out what they can do to resolve the issue. Mr. Lewis stated his sense is the that the Board wants this to "go away," and this is not in the interest of the community. Mr. Lewis stated he would be willing to work with the Township solicitor to draft a Resolution that indicates they would oppose any Exelon merger going forward until the issues are resolved. He stated other communities have done this.

Mr. Lewis stated he did review the Township Code; and Chapter 175 indicates that when Utilities want to fix or add a pole or install any new electrical lines in the Township, they have to file a Permit. He asked if that work has to be inspected. Mr. Lewis stated his understanding is that they do not file Permits, and he has heard that they do not inspect the work. Mr. Lewis stated when he wanted to do work at his home, it was a significant process to get approval which he understands; and he had a very diligent inspector who went through his basement in extreme detail. He stated while he was not happy that it took longer for the approvals, he was happy with the outcome; and he has a safe space. He asked that the Board look at what their powers are under Chapter 175.

Mr. Benedetto stated he feels the Resolution passed by Warminster was a good idea, and he does not know why the Board of Supervisors would not do the same thing. He stated he would like to see what their Resolution involved because the residents are waiting for the Board to do something regarding PECO, and nothing has been done.

Mr. Benedetto moved to consider a Resolution directing PECO to fix the problem.

Mr. Benedetto stated he would like PECO to come in so that they can ask them questions. He stated they had them come in previously and talked to them about the infrastructure changes, and Mr. Lewis has been on top of this issue for years; but nothing has changed other than they have come in and trimmed a few trees and done some "window dressing," and people still lose power. Mr. Benedetto stated he would like to invite PECO to the Township, but he does not want to see the same person come in who came in last time. He stated PECO is being directed by Warminster to come up with answers, but Lower Makefield is not even asking questions.

Mr. McLaughlin stated this is not true. He stated the Board brought PECO in after Hurricane Sandy. He stated while they could pass a Resolution, Lower Makefield is not going to be an isolated entity that PECO addresses and not address all the rest of the communities. He stated what the Township needs to do is be in coordination with the County and the rest of those in the infrastructure. He stated during the last storm there were 700,000 homes without power. He stated the only group that regulates PECO is the State which has the power to put tremendous pressure on PECO. He stated the Township's State Representative is elected to represent the Township's needs at the State level. He stated he is interested in getting real results and finding out why the infrastructure is so poor, why has it been so neglected over the years, and what is their game plan for other major storms. He stated PECO's comprehensive plan needs to cover the whole spectrum. He stated he feels a Resolution from the Board will do nothing.

Mr. McLaughlin stated with regard to notification, there is already a very good system in the Township called ReadyNotify PA. He stated he signed up for this system, and he received every notification you would want on the storm. He stated it is a regulated communication system that gives the official advice on where you should go, what you should do, how you should do it, and when you should do it. Chief Coluzzi stated currently there are 1,700 people signed up. Mr. McLaughlin stated the Board was asked to have a better social media policy; and while this is good advice, he is not going to use the Facebook site, Lower Makefield is a Great place to Live, to communicate emergency information to the residents because not

everyone is on Facebook. He stated that site is also an exclusionary site, and you have to be approved to get on it; and Government does not work that way. He stated they need to get ReadyNotify PA in every house in the Township.

Mr. Lewis stated he did sign up for ReadyNotify and got the alerts, and he feels that the last Supervisors' meeting discussion about communication was instructive and helpful. He stated he is not recommending that anything change with regard to communication on Facebook, rather his issue is holding PECO accountable. He stated he feels if they say this is not acceptable and hold them accountable, they will get what Warminster got which was immediate media coverage. He stated he does not feel PECO will do anything in fixing the infrastructure until they feel pressure.

Mr. McLaughlin asked Mr. Lewis if he feels Warminster got anything other than publicity and asked if he feels they have been put to the top of the list that will solve their problems; and Mr. Lewis stated he feels this is a start, and he feels if the Board stands up more communities will stand up and hold PECO accountable. He stated he feels the State Representative has done an excellent job and had introduced legislation for service level agreements three years ago.

Mr. McLaughlin stated he would like Mr. Santarsiero to come to the Board of Supervisors and communicate the message they would like him to give to the PUC. He stated he would not be adverse to passing a Resolution and get on TV, but he wants to see a real action plan from the PUC to pass onto PECO. Mr. McLaughlin stated he feels the Board did push hard at PECO following the past storms. He stated he feels that they did get better response times during the last storm than they did previously because the Board and Township Manager did push so hard. He stated while they did get better service, he still does not feel that it was acceptable.

Mr. Benedetto stated he made a Motion for a Resolution calling for PECO to address the frequent outages and poor service levels.

Mr. Lewis stated he also feels that they should indicate that the Board will not grant Approvals, and he would be willing to come up with a whole host of things to be included in a Resolution and would present this to the Board.

Ms. Tyler stated she does not feel the Board of Supervisors has approval over installing lines, and Mr. Garton stated the PUC inspects the placement of lines, and the Township inspects the installation of poles in the ground, road openings, etc.; but the PUC inspects the major electrical aspects of the system.

Mr. Lewis stated his understanding is that the Township has not inspected any of the poles or any of the work that has been done. Mr. McLaughlin stated he does not feel it is the poles that are outdated, rather it is what is on the pole. Mr. Lewis stated he feels they could use the regulatory process to improve outcomes.

Ms. Tyler asked Mr. Stainthorpe if this would be an item to bring up with the Bucks County Association of Township Officials, and Mr. Stainthorpe stated he feels this would be a good issue for that organization to consider since it does span all the Townships. Mr. McLaughlin asked if it is too late to put this item on the Agenda for the Hershey Conference, and Mr. Stainthorpe stated it is. Mr. McLaughlin asked that they bring up this item at that Conference to those with influence.

Mr. Benedetto stated the reason Mr. Lewis was aware that the Township was not doing any inspections was because he asked Ms. Frick about this; and he learned that the Township does not send anyone out to inspect poles, electrical equipment, or anything. He stated there is nothing that has been issued by the Township for any work that PECO has done.

Ms. Tyler stated there is a Citizens Committee on PECO that has been meeting for some time, and they are meeting again this Friday. She advised Mr. Lewis if he would like to join them to send her a private e-mail, and she will let him know where the meeting is being held.

Ms. Donna Doan, 1584 Edgewood Road, asked if there is a Court date for the Satterthwaite matter, and Mr. Garton stated he has not heard anything. Ms. Doan asked if they will make the date public, and Mr. Garton stated they will.

Ms. Doan asked for an update on the status of the Farmland Preservation Application for Patterson Farm, and Mr. Stainthorpe stated they have a meeting scheduled with the County Commissioners for Tuesday, March 18 at Noon; and they will meet with all three Commissioners who are allowed to do this if it is for informational purposes. Mr. Stainthorpe stated he invited Supervisor Benedetto to join them; however, Mr. Benedetto stated he may not be able to attend because of work. Ms. Doan asked if this meeting is open to the public, and Mr. Stainthorpe stated it is not. Mr. Stainthorpe stated they are going to make a presentation as to why they feel the Farm needs to be preserved, and what they plan to do with the funds from it. Mr. Benedetto asked when the State Ag Board has met this year; and Mr. Stainthorpe stated they met in February, and they meet every other month. Mr. Benedetto stated hopefully if the Commissioners sign off on this, it will be on the Ag Board's Agenda in April.

Ms. Doan asked why is the Application first subject to review by the County Commissioners when a landowner submits their Application directly to the Board. She asked why the Township had this additional step. Mr. Stainthorpe stated he feels that the County Commissioners do sign off on anything that goes through the Agricultural Preservation Board. Ms. Doan asked if there was ever an Application that was held up that they are aware of other than the Township's Application, and Mr. Stainthorpe stated he is not sure. He stated he does not feel that the Township has been treated right by the Commissioners, and he is not accepting their answer; and the Township is ready to fight hard to get this. He stated he does not feel they should be treated any differently than a private landowner. He stated the purpose of the meeting with the Commissioners is to try to persuade them that it would be in their best interest to treat the Township like the number one Application on the list that they are.

Ms. Doan stated she would suggest that the County Commissioners be reminded that there is an established criteria for selection; and since the Township's Application rose to the top on the merits of the soil itself, she does not feel they should try and re-prioritize the selection criteria. Mr. Stainthorpe stated this was the point he made to the Bucks County Planning Commission when he met with them a few weeks ago, and is the point he has made one-on-one with Commissioner Loughery. Mr. Stainthorpe stated they are going to do everything they can to persuade the County Commissioners to approve the Application and get it moved to the State for approval. Ms. Doan stated she feels the citizens of the Township should benefit from the program, and it should not make them ineligible because it is Township-owned property.

Ms. Doan asked if there is any progress with Toll Bros. on the Hibbs well, and Mr. Garton stated they have had calls from Toll's attorney expressing dissatisfaction with the position taken by the Board. Mr. Garton stated the Township has engaged their own hydro-geologist to examine the circumstances and come back with a report that is a Township report and not a Toll Bros. report. Ms. Doan asked if the Township can bill Toll Bros. for Township costs, and Mr. Garton stated this would depend on the outcome of the report.

Ms. Doan asked for an update on Bright Farms, and Mr. McLaughlin stated Bright Farms was invited to attend a Supervisors meeting; however, they got notification that it did not make this Agenda and they will be coming to a future meeting. Ms. Doan stated this will allow the construction work to continue without any inspection.

Mr. Benedetto stated he invited Mr. Lightfoot, the CEO of Bright Farms; and he indicated he would attend the March 5 meeting. Mr. Benedetto stated the Agenda came out on Friday, and it was not on the Agenda. Mr. Benedetto stated he had asked the Chairman to put it on an Agenda, and Mr. Dobson had indicated that they were paying their rent so they would not be put on the Agenda. Mr. Benedetto stated Mr. Lightfoot had indicated that he was still interested in attending; however, at 5:00 last evening Mr. Lightfoot stated he had seen that he was not on the Agenda for this evening's meeting. Mr. Lightfoot indicated that he would prefer to be on the Agenda as opposed to just showing up to a meeting, and he asked Mr. Benedetto to confirm with him by 10:00 a.m. this morning whether or not he was on the Agenda. Mr. Benedetto stated he sent an e-mail to the Supervisors at 5 p.m. last evening asking that Mr. Lightfoot be added to the Agenda, and he received no response until 4:00 p.m. this afternoon from Mr. Fedorchak of a message copied from Mr. Dobson to Mr. Lightfoot who had reached out to Mr. Dobson indicating he was under the assumption that he was on the Agenda and indicating that he was willing to attend, and the response from Mr. Dobson was that he could not fit him on this Agenda.

Mr. McLaughlin stated this will be on the next Agenda. He stated it is the Chairman's prerogative to set the Agenda, and it was not on the Agenda. Mr. Benedetto stated he will reach out to Mr. Lightfoot and confirm that he is on the next Agenda; however, other Supervisors advised Mr. Benedetto that the Chairman sets the Agenda. Mr. Benedetto stated he feels there is a lack of interest in having Mr. Lightfoot come in. Mr. Benedetto stated he had the initial conversation in January; and he reached out to Mr. Dobson and asked him to put Mr. Lightfoot on the Agenda for February or March, and Mr. Dobson refused to do so. Mr. Benedetto stated the Acting Chairman has indicated that he will come in at the next meeting.

Ms. Doan stated she received an e-mail from Bright Farms today indicating that they had signed a Contract that pushed them over \$100 million in Contracts, and she feels Mr. Lightfoot may be busy and may not be available at the next meeting although she does feel that he should come in.

Mr. McLaughlin stated he feels that Mr. Lightfoot will be coming to the next meeting, and he asked all Board members and the members of the community to treat him respectfully.

Ms. Doan stated the Township gave Mr. Lightfoot permission to build on preserved land under his assertion that they knew how to grow produce all year round, and they have found that this is not the truth. Mr. McLaughlin advised Ms. Doan that is her opinion which she is entitled to. Ms. Doan stated her frustration is that the Board of Supervisors is willing to err on the side of protecting Bright Farms and the public had this land set aside to be preserved, and now Bright Farms has not been fully truthful. She stated they have heard from the people who bought their produce

that they had not supplied them with produce for three months before Bright Farms finally issued a press release that they were not having a problem and only shut down for Christmas. Mr. McLaughlin stated he feels the CEO will be able to answer these questions. Ms. Doan stated there was an expectation from the public that this meeting was going to happen as soon as possible, and she believes that the Chairman “dragged his feet on this.”

Mr. Benedetto stated apparently Bright Farms is back up in operation, and he asked Mr. Fedorchak to find out what they are doing since they are lighting up at night. He stated he got messages from a number of residents indicating they have seen it lit up at night, and he added it seems to be in violation of the Glare Ordinance. He asked Mr. Fedorchak to notify Mr. Grasso and Mr. Lightfoot about this. Mr. Fedorchak stated he feels they first need to determine if they are in fact in violation of the Glare Ordinance.

APPROVAL OF MINUTES

Mr. Stainthorpe moved, Ms. Tyler seconded and it was unanimously carried to approve the Minutes of February 19, 2014 as written.

PRESENTATION ON COMMUNITY/SENIOR CENTER AND APPROVAL OF OPTION 3

Mr. McLaughlin stated the Township has secured a Grant for \$1 million to build a Senior/Community Center. He stated they have decided on the general location, but they are now looking at where it will actually be located and what the design will be.

Mr. George Hibbs from Clarke, Caton, Hintz was present. He stated tonight he will show four Concept Floor Plan Alternatives that range in scale from 4,800 square feet to a maximum of approximately 9,600 square feet. He stated he will also present four Site Plan Alternatives correlating to each of those four Plans. He stated he will also present cost estimates that correspond to each of the Options. He stated at the conclusion of the presentation, he hopes that the Board will be able to make a collective decision on one of the Options so that they can move forward with the project in a specific direction.

Option 1 was shown which is a 4,600 square foot floor plan. He stated it is the smallest amount of core programmatic functions that they could design to match the dollar figure that was discussed at the last Supervisors’ meeting he attended, and this is the \$1 million threshold. He showed on the Plan the multi-purpose room that is in the center of the Floor Plan and seats approximately 150 people with tables and chairs recognizing they could fit many more people if there were just chairs. He also showed the kitchen to the left which will be a commercial kitchen to serve

luncheons, dinners, etc. He noted the tan colored area which includes the hallway, vestibule, and the service functions of the plan as well as a storage facility for tables and chairs. Mechanical space and restrooms were also shown.

Mr. McLaughlin asked if the large room can be divided, and Mr. Hibbs stated there is a folding, sound-proof partition so that two users could use the space simultaneously which provides multi-use of this large space.

Mr. Hibbs showed Option 2 which is 5,800 square feet. He stated they have added in the lower right corner a classroom/conference room space which could be utilized for a number of purposes. He stated there is also a space directly to the left of that which is an office and receptionist space. He stated as the building grows in size and with the scheduling that needs to occur, they feel it is very important that there is a Manager/Administrative presence that schedules the functions and acts as an overseer for the facility.

Mr. Hibbs noted in each of the Options, they are not completely different, rather they are trying to have the building build upon itself such that whatever they do in phases could happen over time or in multiple options.

Option 3 was shown which will be 7,600 square feet. He stated at the top of the page they have added a game room which could have a pool or Ping-Pong table and card tables. He noted another space with rectangular pieces which are potentially exercise equipment. He stated as they look at all the Options, each piece can be shifted such that if at the end of the discussion the Board feels one of the building sizes is correct and they would rather have another classroom as opposed to the exercise room, this shift can occur. He stated at this point they want to determine what the square footage should be to meet the program for Lower Makefield.

Mr. Hibbs stated in the lower right hand corner of Option 3, they have added an additional classroom, and this could be a computer classroom for use by the Seniors and the balance of the community.

Mr. Hibbs stated Option 4 is the full build out at 9,400 square feet which is more in line with where they were ten years ago when they did their initial planning with the Seniors and the community at that time. He showed an addition in the upper left corner which would be an activities space. He stated this would be another room approximately the same scale as the game room and there would be another series of tables and chairs which could be an arts and crafts room and have storage space for groups in the community and with lockable cabinets, etc. so that all groups have equal access.

Mr. Hibbs showed a Site Plan and noted the location which they feel would be the ideal location for the building itself. He stated they felt if it were in front of the water tower which would be directly across the street from Countess Drive, that part of the Samost Tract becomes a very minimal dimension; and with the setbacks it squeezes the opportunity to properly fit the Community Center to the point where they would have to split the parking lot into two pieces which is a negative. He stated in terms of locating the Center to the very rear of the site, it is important to understand that the dimension you extend from services becomes very costly. He stated they feel the Community Center should have a presence on Oxford Valley Road and should have a sight line from the road; and from a cost standpoint in particular, it is much less costly to have it close to the road. He showed the asterisk on the Plan which is the area they feel has the most amount of positives as to where to locate the Center on Samost.

Mr. Hibbs showed a Plan for Option 1 on the site with the appropriate number of parking spaces based on the Ordinance for this lay out. He stated they have tried to put the building the appropriate dimension back from the Collector Road, Oxford Valley Road, with parking in the front and the sight triangle necessary to access ingress/egress off of Oxford Valley. He stated by placing it at this location it allows for a larger building now or for future expansion. He stated this provides 63 parking spaces.

Option 2 was shown for a building of 5,800 square feet. He stated a building of this size does not trigger the need for additional parking. He stated they have tried to start to bring the handicap parking around the southern portion of the site or parallel to the tree line that is on the left edge of the Plan. He noted the area which is used for softball parking, and they felt that by beginning to formalize the roadway and start to have paving there, it begins the important connector back through so that some of the spots could be gravel, and they could continue to park there; but there would be a stop of the macadam, and they could then continue on.

Option 3 was shown, and they are building toward the northern edge. Because they have increased the size of the facility, it increases the parking to approximately 83 spaces. He showed on the Plan where they have grown to the north with the parking.

Option 4 is the potential full build out of 9,400 square feet. Mr. Hibbs stated that rather than continue to build parking all the way north toward the water tower, they have started to pave back towards where you park for softball to try to keep the parking as symmetrical as possible about the building so that one person would not have a very long walk to the front door of the facility. The handicap spaces would have direct access. Option 4 is 107 spaces. He stated these are conservative numbers; and once they go back and re-read the Ordinance, there is the potential

that they could bring these down slightly since rather than one parking space per three occupants, the Ordinance calls for one parking space for three seats. He stated they wanted to be as conservative as possible in the event that the reading of the Ordinance is strict in its interpretation.

Mr. Benedetto expressed concern with all of the parking being in the front. Mr. Hibbs stated this is just a Concept Plan, and the focus tonight is to try to decide on an Option first. He stated they wanted to show the Site Plans in terms of the dollars. He stated because of the setback required from the Collector Road, it was important to try to be symmetrical so that there is equidistant travel with respect to the parking. He stated they could put the parking slightly more toward the rear. Mr. Benedetto stated he understands that in front of the water tower is not really a viable place because of the size constraints, and Mr. Hibbs agreed. Mr. Benedetto stated the third site option going toward the back of the property was viable; however, Mr. Hibbs stated from a cost perspective at that location they would be spending money on utilities as opposed to programming. He stated they are trying to get as much of the programming as possible in the building and not spend as much money on the site.

Mr. Hibbs stated they have tallied up each of the Options and presented a chart showing the size of each of the Options, the parking requirement for each, the site work costs, and the building costs related to each Option.

Mr. Benedetto asked Mr. Fedorchak to put these Options on the Website.

Mr. Hibbs stated with regard to building costs, in their experience and in discussing this project with professional cost estimators and contractors, they are of the opinion that this will be in the range of \$160 to \$180 per square foot. He stated this is exclusive of the site costs so by combining the site work numbers, which were reviewed by Boucher & James, with the building costs you get the range of totals shown to the far right on the Chart. He stated Option 1 with the 4,600 square feet would be \$920,000 to slightly over \$1 million. He stated at the last meeting when he was present to discuss the project, he was told to provide a \$1 million option so Option 1 would be that option. He stated Option 2 is the 5,800 square foot option, and the total would be \$1.1 million to approximately a little over \$1.2 million; Option 3 at 7,600 square feet would be \$1.4 million to a little over \$1.5 million; and Option 4 with 9,400 square feet would be \$1.7 million to \$1.9 million.

Mr. Stainthorpe stated he feels it makes the most sense to build as big a building as they can initially, and he feels they should maximize the opportunity for people to use the building. He stated they may have to go out to borrow money or raise taxes to do this. He stated he would be in favor of Option 3 as it provides plenty of space for different activities, and he feels Option 4 is more than they need.

Mr. Benedetto stated he disagrees, and he would be in favor of Option 2. He stated they have already built some costs into the Bond Issue that was approved to pay the Golf Course award so he felt they were dealing with \$1.1 million. He stated he was led to believe that a Center was on the ballot and was voted on, and it was turned down. He stated while he understands that the Seniors have been waiting for a Senior Center, he would be in favor of Option 2 and would like to see how many people actually use the building before they add things like a game room and fitness center which he feels is going "overboard." He stated he would like to see a building built with the option to add on. He stated he feels Option 2 will probably go up to \$1.3 million, and they will need to find \$100,000 in the Budget to build it. He stated there are also maintenance costs. He stated Mr. Hibbs indicated that there was to be a room for office and reception space, and he does not feel that there is anyone in the Township Building currently that should be at the Community Center working as part of their job as the Township employees are maxed out. He stated he feels they will have to hire someone and there are also maintenance costs. He stated he feels Option 2 provides a cost-effective balance for what the people in the entire Township want. He stated if there is a need, they could expand it.

Ms. Tyler stated she would be in favor of Option 3. She stated Option 2 does not give them the ability to have meeting rooms for some of the Committees, PAA, area youth organizations, etc.; and what Option 3 does is to provide meeting space. She stated she feels that Phase 2 projects do not always happen. She stated she feels Option 2 is not sufficient; and if they have to expand in the future, they would have to borrow additional money. She stated for the differential between Option 2 and 3, the return on the money for all of this additional space is very much worthwhile.

Ms. Tyler stated with regard to manning and maintaining the building, she is not sure that a Township employee would be there, and they have discussed part-time work with some of the Seniors to help out there. She stated she does not feel they can go as far as Option 4, and Option 2 is a bit too short-sighted because of the limitations of the space.

Mr. McLaughlin stated he feels everyone is making good points. He stated the necessities of the Center are two-fold – one of which is for the Seniors so that they get the facilities they want. He stated he is not sure that they need the exercise room, and he is concerned about liability that could be incurred. He stated he also wants a place for younger residents and possibly they could have a movie room that could be utilized. He stated if they took out the exercise room and the second computer room in Option 3 and moved the card room down into that space he would like this as it would provide room to foster youth groups/Scouts, etc.

Mr. McLaughlin asked Mr. Fedorchak if they envision renting the Center out so that it could generate revenue for parties, weddings, etc. Mr. Fedorchak stated while this is possible, the Board will have to discuss how they want to approach its availability to the community and whether or not they want to charge. He stated they can do this.

Mr. McLaughlin stated he would be in favor of a slightly smaller Option 3. Mr. Hibbs stated at this point the Board should consider how much they want to spend on this project; and based on that and the program discussion they have after that, it will allow different parts to be moved in the building. Mr. McLaughlin asked if the cost estimates meet the requirements of the Township for prevailing wage, and Mr. Hibbs stated they do.

Mr. Stainthorpe asked if this meets LEEDS standards; and Mr. Hibbs stated as discussed at the last meeting, it will be an energy-efficient building but will not meet LEEDS standards. Mr. Stainthorpe stated the Township does have a Green Building Ordinance. Mr. Hibbs stated these are two different things; and they can design a green building, but if you want the plaque on the wall from the Green Building Council, you have to pay for this. He stated they will have an energy-efficient building, but they will not submit for the Certification and the plaque. Mr. McLaughlin asked if the costs are for a building that complies with the Township Ordinance, and Mr. Hibbs stated they are.

Mr. Zachary Rubin, 1661 Covington Road, stated he agrees that they need to plan now and not in the future since adding on in the future will cost a lot more. He stated he feels they should go with either Option 4 or fall back to Option 3. He stated the question is funding, and he stated the Township has borrowed close to \$1 million for a fire engine; and while he feels it should have been bought, the Board in the past has gone into the bond market to provide services that the community needs. He stated they should not be afraid to go out to the bond market to borrow so that they can service the community. Mr. Rubin also noted that when they went to a Referendum it was a Community Center that had a swimming pool, basketball courts, and was over \$10 million so they should compare “apples with apples.”

Mr. Stainthorpe stated the Referendum was done fourteen years ago, and at some point he feels there is a statute of limitations. Mr. Benedetto stated he feels there were two Referenda, and Mr. Stainthorpe agreed and added that they were both significantly bigger than this. He stated in Pennsylvania you really do not vote on a Community Center per se, and the Referendum was to authorize the Board to borrow the money to build it. He stated he does not feel it is correct to state that the people of Lower Makefield do not want a Community Center, and he feels it was that they did not want the Community Centers that were proposed at that time and the costs that went with them. He stated he feels these are four good Options for the

Seniors and the community, and this is something he feels the Township should have. He stated they can determine how to pay for it once they finally decide on which Option.

Ms. Catherine Beath, 1049 Countess Drive, stated they could have another Referendum to find out more recent feelings about this. Ms. Beath asked if the total costs shown include landscaping, and Mr. Hibbs stated they do. She asked what type of landscaping, and Mr. Hibbs stated they are early on in the process. Ms. Beath stated they have not even landscaped the ball fields yet, and she feels currently it looks like Bristol Township. Ms. Beath stated there is space in the Municipal Building which could still be used so when they are looking at the various Options they are not including in their evaluation the fact that they have room at the existing Building. Mr. Stainthorpe stated they wanted to get away from having meetings in the Municipal Building during the day during the week as it is somewhat disruptive to the Township staff. Ms. Beath stated it is not very efficient to have an empty room. Mr. Stainthorpe stated its purpose is for public meetings for the Boards and the Supervisors. Ms. Beath stated she would like them to make efficient use of all Township space as she personally does not want to be living across from a one hundred car parking lot for such a huge building. Ms. Beath stated she feels this is a waste of money; but if they build this, she hopes that they make sure that they do not allow things like Flea Markets, Book Sales or any kind of large gatherings outside since there are homes across the street that pay big taxes unlike at the Municipal Building where they are facing a ball field. She stated she is also concerned about the lighting which will have to be put up. She stated the lights at the tennis courts are on constantly. She stated if there is lighting at the parking lot, she hopes it is the smaller lights and that they go off at 10:00 p.m.

Ms. Tyler stated they have already discussed with the architect the fact that there are people living across the street. She stated this has been a driving force as to placement of the building, types of lighting to be used, and the landscaping to be erected. Mr. Benedetto stated there were other options for the location of the Community Center which would not have been in Ms. Beath's back yard.

Mr. Paul Allen stated he lives directly across the street from this proposed development. He stated he is in favor of a place for the Senior Citizens, but he is very concerned when they discuss sixty-three to over one hundred cars across the street. He stated he does not feel it is fair to put that many cars on the road. He stated his driveway is right where the development is going to be, and he does not feel this is fair. He stated his houses is one of the few on Oxford Valley Road that has access directly to Oxford Valley Road. He stated when he moved there, he never realized that it would potentially have sixty to hundred cars; and he does not feel it is fair to put this burden on someone living in the community. He stated he would

not have any problem if the parking area was in the back as opposed to right out front where all the cars will be dumping out onto the street. He stated there are ball fields all over the place, and now they will have the Senior Center coming in which is not good. He stated he would not have a problem with the parking in the rear as long as the traffic is not coming out onto the main street. He stated with the softball fields, they put the outlet in and out on the corner as you turn on Oxford Valley Road. He stated while it would cost more, if there is some way to have the parking area re-routed, he would be in favor of the project.

Mr. Benedetto stated he feels the lighting could be a big issue if the lighting is in the parking lot on Oxford Valley Road as opposed to wrapping the parking around the back or having the parking behind it so that the lighting would be somewhat removed. He stated once PAA knows there is lighting on the Samost Tract, they will come in and ask for lighting on the ball fields as well since this precedent will have been established. Mr. Benedetto stated he feels there was a better location for the Center; and while this was discussed, it was “roundly dismissed.” He stated he feels they should do anything they can do to preserve the quality of life for the residents in that neighborhood. Mr. Benedetto stated he knows that Mr. Allen and Ms. Beath showed up to meetings, and he feels their valid points were basically ignored.

Mr. McLaughlin stated he does not agree that their issues were ignored. He asked if it is possible to move the parking to the back. He also asked if there is a way to interconnect the parking with the ball fields that come around so that would be the access point since they will really not be competing. Mr. Hibbs stated with time and money they can do anything. He stated to connect the parking lots, it would be a pretty good dimension; but in terms of taking some of the parking and starting to wrap it around the side, he feels that is something they could look at. He stated currently the rear of the facility in terms of the potential for outdoor activities and access, the views out of the back toward the tree line are lovely; so if there is a way to have half the parking around the side and half the parking in the front, this would be a valid compromise. Mr. McLaughlin stated he would be interested in pursuing something like that. Mr. McLaughlin noted that this is also his neighborhood.

Mr. Mark Moffa, 1531 Derbyshire Road, stated he would be in favor of proceeding with a modified Option 3. He stated if they slide the game room down to the lower right on Option 3, it would free up space to add the upper left of Option 4 which is the smaller activity room into that area in lieu of the exercise area. He stated they would still be utilizing the footprint of Option 3 but they are getting the game room and the smaller activity room which he feels would be utilized quite a bit. He stated while he shares the concerns of the neighbors who live across the street, he lives across the street from William Penn Middle School; and the parking lot is in front of the School; and while it is lit up all night, it is very unobtrusive and none of

the neighbors on his block have a problem with it and actually find it lovely having the School across the street. He stated it is possible if it is designed well even with the parking lot directly across the street with unobtrusive lighting and a nice looking building, that it would not be a problem for people living across the street.

Mr. Stephen Heinz, 1355 Edgewood Road, stated he is an architect, and with regard to economies of scale he suspects in terms of percentage for the site development that the cost of the actual lighting, concrete, and macadam that would be installed would be a percentage less for a building of larger size proportionally. Mr. Hibbs stated when they had discussions with the Township in terms of the Ordinance, the clarification was for the one parking space for three seats versus one parking space for three occupants so that a larger building would equal more occupants; and if there are more occupants, they would need more parking spaces. Mr. Heinz stated the entrance would not necessarily change nor would the curb cut or a portion of the lighting and possibly even the parking along the street and plantings and site development. Mr. Heinz stated it seems that the basic plan consists of large spaces on one side of the double-loaded corridor and smaller service spaces on the other; and if those larger spaces could have some potential for connectivity like the one big room so that it is adaptable with moveable partitions which would make spaces larger even though at some point they would have some definition in use, they would not be restricted to that and they could be opened up as the need arises in the future. Mr. Heinz stated he feels the Plan will be presented to the Planning Commission for their comments and buffering could be an aspect of this; and Mr. McLaughlin stated they will follow the normal procedure for Land Development. Mr. Heinz suggested that neighborhood groups might be invited to come and be part of the discussion before things are finally decided.

Ms. Sarah Spangler-Campanella, 29 Green Ridge Road, asked if any of the costs include a Traffic Impact Study; and Mr. Hibbs stated they do not, and they are construction costs not professional costs. Ms. Campanella asked if a Traffic Impact Study would be part of this, and Mr. Fedorchak stated they would have to look into that as he is not sure. Ms. Campanella asked if there would be a light spillage study to determine light pollution impact on the residents, and she asked if this would be considered professional costs. Mr. Hibbs stated the project would meet all of the requirements of the Township Ordinance in terms of light spill and foot candle spread. It would also meet minimum parking lighting standards. He stated it would also be designed with the proper shielding so that it is a safe environment but does not contribute to light spill.

Mr. McLaughlin stated all of these issues will be discussed during the Planning process; and he feels the Planning Commission will ask all of these same questions.

Mr. Benedetto stated he does feel there should be a Traffic impact Study since it will have a major impact on traffic on that street.

Ms. Tyler stated when the Plan goes through, it will also go to the Citizens Traffic Commission as well as the other Township Committees. Mr. Benedetto stated he would like to see a professional involved, and Ms. Tyler stated the Township does have a traffic engineer who would review this.

Ms. Heather Krotz, 623 Saxony Lane, stated the Township just put in two new ball fields; and now they are going to put in a Community Center. She asked where all the people are going to park since currently without the Community Center or the two new ball fields, she has seen them lined up behind her house and they come into the cul-de-sac. Mr. McLaughlin stated additional parking is proposed; however, he feels they need to have better enforcement at certain times. Ms. Krotz stated while they sometimes enforce this, where they are putting the Senior Center is where all the cars currently park for the Tournaments. Mr. McLaughlin stated they will look into this further, and during the Tournaments they need to make sure they are not inflicting all this parking on the neighborhoods. Ms. Krotz stated she is not only concerned about the Tournaments but also with the two new ball fields.

Mr. McLaughlin stated parking for the two new fields should be adequate. He stated they will have to address parking during Tournaments.

Ms. Tyler stated this has already been discussed. She stated YMS has Tournaments at Macclesfield, and they do provide shuttle service; and they have begun that discussion with PAA because the Community Center is going in the area where they previously parked for Tournaments. Mr. McLaughlin stated they will discuss this with Chief Coluzzi as to what they are and are not allowed to enforce. He noted parking on the street is permitted by the public, but they need to consider temporary No Parking at times to make sure there is a good balance. Mr. McLaughlin stated he also feels that they need to plan correctly so that there are not major events at the Community Center when the Softball or Baseball Tournaments are taking place. He stated they should also consider if the parking is adequate for all the activities taking place in this area.

Ms. Tyler asked Mr. Hibbs if he did not state that during the planning they were going to look at allowing access to the rear portion of the property, and Mr. Hibbs agreed. He stated at the tail end of the site the drive aisle would be open so that as you do now, you would still be able to access behind the paved areas and park along the tree line.

Ms. Krotz asked if they propose a turning lane so that cars do not back up onto the road since there will be so much more traffic. Mr. McLaughlin noted the traffic for the two new ball fields will exit onto Edgewood Road. Mr. Benedetto stated this would be a good question for the Traffic Impact Study that they will hopefully have.

Ms. Carol Alling, 341 Margery Road, asked how the pink portion on the Options compares to the size of the Township meeting room; and Mr. Hibbs stated it is 2,300 square feet so it will be a little less than double the size of the Township meeting room. Mr. Benedetto stated they could alter this and make it smaller, and they could then have other areas carved out from the 2,300 square feet.

Mr. Glen Mangold, Vice President of Lower Makefield Seniors, asked the size of the proposed game room; and Mr. Hibbs stated it is 37.6 by 29. Mr. Mangold stated Seniors need furniture that is set. He stated they have survived in the existing Township room for fifteen years; but they always have to get out the card tables, and a lot of the Seniors cannot handle this. He stated someone from the Township sets up and takes down the room. He stated there are currently times when there are problems with parking for the different activities in the area. He stated he is concerned that those using the ball fields may take the parking that is supposed to be used by the Seniors. He feels what has been proposed is totally inadequate even using Option 4. He stated the Township should be ashamed of itself since every other Township in the area is not afraid to spend money on Seniors, and Lower Makefield has never done it. He stated the amount of money they have spent on the Seniors would not equal one year of what they have spent on athletic fields and maintenance. He stated he is especially upset about Option 2 which is "cheap."

Ms. Tyler moved and Mr. Stainthorpe seconded to approve Option #3 for the 7,600 square foot building.

Mr. Benedetto stated he feels there is a sentiment among a significant number of residents that he has spoken to who understand that Steve Santarsiero procured the State Grant, and they have \$1.1 million. Mr. Benedetto stated when people are running for office they are fiscal Conservatives; but when they have the opportunity to make a tough decision, they make the easy decision. He stated rather than saying they can borrow more money, they should do what he feels is the responsible thing. He stated if there is a need shown for the additional pieces, they could do that. He stated Ms. Beath made a valid point that there is an existing building that has significant space and they should not walk away from that. He stated there are existing residents in this area that have a quality of life issue, and he feels it is irresponsible to approve anything beyond Option 2.

Mr. Stainthorpe asked about the timeline and asked when they would have to make decisions and go out to bid in order to get this done by the end of the year. Mr. Hibbs asked about the length of time for the approval process through the Township as this is the part that he cannot control. Mr. Hibbs stated in terms of bidding and getting a contractor on the site, this is a simple building as it is one-story, slab on grade, stick frame construction; and it will go up rather fast. He stated it would take two and a half to three months for the construction documents, one month to go out to bid, and a four month construction window.

Mr. Stainthorpe stated he wonders if they should have a full Board before they vote on this. Mr. Benedetto stated he believes that it has been delayed long enough as the Seniors have been waiting for a long time, and he feels they should vote tonight as there are four Supervisors present. Mr. Benedetto stated he was not present at the meeting when the location for the Community Center was discussed; and he had asked for it to be postponed, and he was overruled, and it passed four to zero. He stated he had Helen Heinz read his statement at that meeting, and he would have proposed that it be at Veterans Square which he feels is a much better location with minimal impact. He stated 5,800 square feet or 7,600 square feet would have fit at Veterans Square perfectly. Mr. McLaughlin stated the Veterans Committee was strongly opposed to it being put there. Mr. Benedetto stated he knows who was opposed to it and who was in favor of it, and he was clear about the reasons he wanted it there. He added he was the Liaison to the Veterans Committee so he knows very well what they felt. Mr. McLaughlin stated the Veterans Committee's recommendation to the Board of Supervisors was not to put it there.

Motion carried with Mr. Benedetto opposed.

PRESENTATION AND APPROVAL OF LMT COMMUNITY CLIPS PUBLIC-INTEREST TELEVISION PROGRAMMING

Mr. Zachary Rubin, Ms. Lisa Gage, Ms. Ann Schreiber, and Mr. Christian Roebing were present. Mr. Rubin reviewed the history of Cable in the Township and the history of the Electronic Media Advisory Commission. He reviewed what the Cable Companies are required to provide. He stated the Township has complete control over the content on the Government Access Channel. He stated at their last meeting, EMAC unanimously agreed to recommend to the Board of Supervisors the following presentation.

Ms. Gage stated she has been a member of EMAC for the past three years; and during that time, one of her main objectives has been trying to bring some more compelling content to the Government Access Channel as well as the Township Website.

She stated tonight they are presenting a video series which they are calling LMT Community Clips. She stated each episode will feature a significant event, organization, a cause, key people, or a Township asset. Ms. Gage stated she has been working on this project with Ann Schreiber who is going to be their writer and on-air host and with Christian Roebling who has been a news producer for thirty years working in New York City for Fox News and CNN and more recently working extensively as a local producer for many of the local business associations, neighboring Townships, and non-profit organizations.

Ms. Gage stated in 2012 they made a video on behalf of the Veterans Square Foundation as a fundraiser for the Monument. She stated it featured interviews with elected Officials, Veterans in the area, and the sculptor of the eagle which will be featured on the Monument. She stated the video was aired on the Township Channel during the first few months of 2013, and Kathy Kraeck indicated that contributions during this time increased by 15%.

Ms. Gage stated as to distribution they envision that the videos will be aired primarily on the Government Access Channel, and they would also create a dedicated YouTube Channel linked to the Lower Makefield Township Website. She stated they would also recommend having an archive of videos on the Website. She stated they would also use the vehicle of Facebook through individuals on the Board who have Facebook accounts as well as herself and the resident site, "Lower Makefield is a Great Place to Live," since they have 2,000 people on that site and could get the word out effectively.

Ms. Gage stated they feel there are many benefits to enhancing the awareness of what is going on in the Township including increasing familiarity with the Township leaders, elected Officials, management, educators, coaches, and business leaders. She stated it will also provide access and education for residents who are unable to attend events, and it will provide engaging, on-air commentary highlighting information and facts that would remain unknown with the goal of increasing attendance at events and stimulating interest in some of the Township assets such as the Community Pool and Golf Course. She stated this would also be a way to provide public recognition for businesses, individuals, and organizations who contribute to the betterment and the spirit of LMT. She stated the videos could also feature directives to go to relevant Websites for more information or discuss how to join, register, or donate to a cause. Ms. Gage stated it will also create a voice and a presence for residents highlighting their positive comments and reactions to the Clips coverage. She stated interest in their programming could inspire more volunteers and involvement in Township activities. Ms. Gage stated there is also the chance of a potential draw of new residents seeking a location, and they may be interested in watching some of these to get a glimpse of what life is like in Lower Makefield. She stated it will also create a library of assets for historical and archival purposes.

Ms. Schreiber discussed some suggested episodes which would be subject to the approval of the Board of Supervisors. She stated they also hope that there would be input from the Township. She stated the tentative recommended clips for the remainder of 2014 would be: Spring/Summer – PAA Opening Day, Opening Day at the LMT Pool on Memorial Day, the Golf Course, and the 9/11 Remembrance Ceremony. In October they are recommending a clip on Fire Prevention and the LMT volunteer fire fighters, and in November the Veterans Day Parade and construction of the Veterans Square Monument. She stated they may also present breaking ground for the Senior Center.

Mr. McLaughlin stated they also have the Inclusive Playground coming on board. He stated he also feels this would be a good way to get people to understand about ReadyNotify and get more people on board. He asked if they could adapt the schedule presented to include other items, and Ms. Schreiber agreed they could. She stated the intent is not just to entertain, but to communicate and inform as well; and to help people be safe in times of emergency. She stated this is all up to the Township. Mr. McLaughlin stated when the Community Center comes along, they are probably going to have a lot more programming with speakers, classrooms, etc. and possibly whatever is being taught there could be filmed and presented on-line to people who cannot make it to the facility.

Mr. Christian Roebing reviewed his background in television for thirty years in New York City. He stated there is no better way than television and computers to connect to communities as it can capture the spirit of a community better than in the newspaper. He stated he also worked at CNN and the Fox News Network so he comes from a serious television background. He stated even at that high level, it is the same as it is at the community level in getting the message across. He stated the projects they proposed are basic, but there could be shorter segments as well such as something for the teenagers about drug awareness. He stated the average viewer length on a YouTube video is approximately two minutes long. He stated they are also open to Board suggestions as to what it is that is important for the community for them to get across. He stated these will document the community as well one hundred years from now.

Mr. McLaughlin asked about the cost, and Mr. Roebing stated it would be \$1,000 per episode for six episodes. Mr. McLaughlin asked if there is any money in the Budget for this, and Mr. Fedorchak stated they do not have a line item for this. Mr. Stainthorpe stated he understands it would be \$1,000 an episode for a ten minute episode. Mr. Roebing stated if it was more structured where they could get smaller bits of information that are just as powerful, it would not be \$1,000 for each little segment; and they could shoot maybe four segments in one day. Mr. McLaughlin asked about the equipment, and Mr. Roebing stated he has the equipment. He stated he would edit and shoot. He stated YouTube is free.

He stated his forte besides the technical end is to make people comfortable in front on the camera; and he has never made anyone look foolish, uncomfortable, or not strong on camera. He stated he will bring that professionalism to this level.

Mr. McLaughlin asked if the Board will have to review this before it goes out on the Channel, and Mr. Garton stated he feels they should approve the programming. Mr. McLaughlin asked if they should approve the content, and Mr. Stainthorpe stated they should approve whatever goes out. Mr. Stainthorpe stated because of the technology today, Mr. Roebing could e-mail it to the Board for review.

Mr. Stainthorpe stated he feels they should allocate \$6,000 to try this out this year. He stated he feels they should begin in April with baseball, and he feels it will get better as they go along. Mr. Roebing stated they will start at a high level of quality.

Mr. Stainthorpe moved and Mr. McLaughlin seconded to approve the project and allocate \$6,000.

Mr. Benedetto stated he is in favor of this, and he would like to see it expanded into things like cataloging historic properties in the Township and the Patterson Farm. He stated moving forward he would like to see them talk to some of the people who live in the Township who have a story to tell.

Mr. Roebing stated if they need to see his work, he can submit it. Mr. Benedetto stated he would like to see it. Mr. Roebing stated he can show what he has done in New York as well as work he has done for the Newtown Business Association, McCaffrey's, Friends of the Delaware Canal, Artists of Yardley, New Hope Winery, and the Tyler State Park Arts Center. He stated he wants to make the media powerful and relevant in the community.

Mr. Rubin stated anyone in the Township who has a cable hook up pays 5% of their monthly bill as a Franchise Fee that goes to the Township which is hundreds of thousands of dollars, and this goes to the General Fund; and he feels some of that money should be allocated to this project.

Motion carried unanimously.

Ms. Tyler stated she has been thinking about reviving the Township Newsletter, and she asked the Board if Mr. Fedorchak could look into this further and try to bring that back to bridge some of the communication avenues they have not yet used. Mr. Stainthorpe stated he would be in favor of this since he feels it is a strong piece of communication they should not let go. He stated before they vote on anything

they would need the cost and who would do it. Mr. McLaughlin stated he wants to make sure that it adapts to the technology so that there could be an app or digital content. Ms. Tyler stated there could be an option to get it electronically, and they could discuss this as well.

DISCUSSION OF SKETCH PLAN FOR FIELDSTONE (HARRIS TRACT)

Mr. Garton stated a Sketch Plan is an opportunity for the developer to provide some information to the Board as to their intention with respect to the development of the property. He stated there are no Approvals expected, and no Approvals will be granted. He stated it is a chance for a give and take with the Board and members of the public on an Application that may be forthcoming.

Ms. Carrie Nase-Poust, attorney, was present with Mr. Michael Macaninch and Mr. Brian McKenzie from Beazer Homes, and Mr. Bill Reardon, engineer. Ms. Poust stated the Sketch Plan involves property located at 1269 Edgewood Road. She stated this property has been slated for development for quite some time, and Preliminary Subdivision Plans were originally to the Township in the late 1990s. Ms. Poust stated Beazer has recently entered into an Agreement to acquire the property and is looking to revise the design of the lay-out for the project. She stated they submitted a Sketch Plan and were before the EAC in November, and they also met with the Planning Commission the end of January. She stated they are present this evening to review the Plans with the Board and get feedback and hopefully get the Board's support before they move forward with engineering the Plans and submitting a full Plan Development set.

Mr. Garton stated this property is unique in that it has an old "farm dump" on it which has been the subject of discussion for a long time, and this is one of the reasons that it has been such a difficult site. He stated he assumes that during the presentation the professionals will discuss the location of that area.

Mr. Michael Macaninch stated he is the Division President for the local Beazer Division. He stated Beazer Homes is a National top ten homebuilder, and his Division covers Pennsylvania and New Jersey. He provided a corporate fact sheet on Beazer and information on similar products they have done in other marketplaces. He stated he feels they are eighteen months away from breaking ground on the site, but this booklet gives an idea of some of the products they are looking at for this site. He stated they are looking at homes in the 3,000 to 3,500 square foot size as the base home. He stated the Plans will evolve as they go through.

Mr. Benedetto asked what developments they have built in Bucks County, and Mr. Macaninch stated the only active community they have in Pennsylvania at this time is in Montgomery County. He stated they are trying to expand their presence in Pennsylvania, and they have a property under Agreement in Montgomery County and one in Chester County. He stated currently 90% of their active communities are in South Jersey, and they are just opening a 77 home estate community in Mullica Hill.

Mr. Reardon stated the property is forty acres located on Edgewood Road opposite Yardley Hunt with frontage between Whitehall and Schuyler. He stated the property extends from Edgewood back to the railroad tracks, and in the corner there is a portion of Brock Creek. He showed on a Plan the location of the landfill, and also showed other portions of the site which are wetlands, floodplain, and different natural resources. He stated this is what is driving the development to the front portion of the property up towards Edgewood Road.

Mr. Reardon showed the Sketch Plan which had been submitted, and he showed a large open area which is the landfill area which will be capped and preserved as open space. All the development has been kept to the front portion of the property closest to Edgewood. They are also proposing a large amount of open space adjacent to Edgewood where they could put in additional berming and landscaping to buffer the development from Edgewood Road. Mr. Reardon stated because of the restrictions on the property, they plan to employ the Cluster Option which is a permitted Option under the existing Zoning District which is R-2. He stated they are proposing thirty-five lots which is a density of 1.6 dwelling units per acre which is half of what is permitted under the Cluster and less than the permitted density under R-2.

Mr. Reardon showed the one access point on Edgewood Road which is approximately 350' from Whitehall Drive. He stated this main access comes into an interior roadway that terminates in a cul-de-sac on the western side, and they have a loop portion with a pocket park on the eastern side. Mr. Reardon stated the development will have a number of stormwater management features at various locations, and they would be looking to employ a lot of low-impact development practices and supplement with a lot of on-lot controls. He stated they are proposing that in excess of 70% of the property will be preserved as open space which is almost 24 acres.

Mr. Reardon stated they went before the EAC, and they were in favor of the pocket park and the buffering proposed along Edgewood road. He stated they also went before the Planning Commission where there were comments about the access point and the density. The Plan was also reviewed by the Township engineers, and

they have received their comments. He stated they want to gather all the comments to see what can be incorporated into the Plan; and as they move through the engineering process, they will try to address as many of the comments as they can.

Mr. Stainthorpe stated there was a prior presentation by another developer, and the way they proposed to deal with the “dump” was to cap it and make it a meadow; and the methodology seemed sound, and he was personally satisfied with it. He asked if they plan to pursue the same type of remedy, and Mr. Reardon stated they do. He added that they had a meeting today with DEP to review that same procedure, and it was very favorably received.

Mr. McLaughlin asked for more detail about the landfill and what is involved with the capping. Mr. Reardon noted on the Plan the landfill area and stated it was an area where construction and demo debris was dumped on the property. He stated the cap is a 2' soil layer that is put on top of any material that is there, and it eliminates the pathway so that the public cannot get to any of the debris that is under it. He stated you put vegetation on top of it, and it will look like an open field; and the cap precludes any contact with the material. Mr. McLaughlin asked how much material is there; and Mr. Reardon stated while he does not know the exact quantity, it does encompass a rather large area.

Mr. Stainthorpe stated through the different presentations he has heard over the years, it is his understanding that there is a lot of material there; but it is not toxic or environmentally hazardous, and Mr. Reardon agreed. Mr. Stainthorpe stated at one point in time the Township had demanded that everything be dug up and removed, and this was a “deal breaker” for anyone looking at the property. He stated he feels as long as they are following the methodology that was presented previously and it is acceptable to DEP, he feels it should be okay.

Mr. Stainthorpe asked if it is their long term intention to dedicate the open space to the Township; and Mr. Macaninch stated while they would like to do so, he understands the Township would not want it, and Mr. Stainthorpe agreed. Mr. Macaninch stated there were some preliminary discussions between the property owner and the Nature Conservancy about them taking title to it, and that would be preferable to the developer. The other alternative is to put it into an HOA to be open space and whatever maintenance requirements the DEP will put on it the HOA would have to follow and budget for it so that it is preserved.

Mr. Benedetto asked if they have any other Cluster Options in the areas they have developed, and Mr. Macaninch stated he cannot think of anything specific although the company has done them. He stated they could supply the Township

with this information. Mr. Benedetto stated while he likes the concept of 70% open space, he feels 35 homes is a lot in this tight space, and he does not feel that 35 homes will fit in this space adequately.

Mr. Stainthorpe asked if they will need any Waivers the way they have the homes clustered, and Mr. Reardon stated they will need some Zoning relief.

Mr. Stainthorpe stated the Township re-did the Development Ordinances in 2004, and they did put in Clustering Options. He stated the Board did have some concerns whether this was a good idea although they felt it would be good environmentally. He stated he agrees with Mr. Benedetto that what they have proposed are a lot of homes packed into a relatively small area. He suggested that they find a way to reduce that number.

Mr. Benedetto asked why they have only one access point. Mr. Reardon stated if they were to consider a second access, they would consider it as an emergency access, and he noted an area on the Plan where they could provide this which could provide a proper separation from Schuyler and still have proper separation between the two access points on the property. He stated since he lives in the Township, he knows how people drive around the curve, and feels what they have proposed is the best location for the driveway; and any location at the lower part would not allow drivers to see someone coming around the curve at 50 miles per hour. He stated they do recognize that the Ordinance requires two access point. He stated they have not entertained an option that would extend Long Acre into the development.

Mr. Benedetto asked about the possibility of extending the development down further although he added he recognizes that this might not be an option because of the wetlands. Mr. Reardon stated the way they have situated the edge of the lots, they are basically “hugging” the edge of the wetland buffer and they also have the edge of the landfill. He stated the space shown for the development is what they are dealing with.

Ms. Tyler asked Ms. Saylor to provide input in from the engineer’s review. Ms. Saylor stated they issued a letter, and they have concerns with the Plan. She stated they commented on the areas where Variances would be required if they did not make revisions when they come in with Preliminary Plan. She stated they discussed setbacks from Edgewood Road and side yard setbacks that need to be brought into compliance with Ordinance requirements or Variances would be required. She stated they also had a concern with the flag lot that did not meet minimum lot area requirements. She stated they were also concerned with the loop road and a determination would need to be made if this would be considered a road or a cul-de-sac. She stated if it is considered to be a road, it does not meet the road design standards; and if it is considered a cul-de-sac, they will need a Waiver on the length.

Mr. Stainthorpe asked if this could be an issue with the Fire Department. He stated where Toll is currently building, the fire trucks cannot make the turns on some of the roads; and this is not acceptable. Mr. Reardon stated the Code requires 150' which is a huge radius for a roadway. He noted a portion on the Plan where the fire truck would have the ability to get around the curve, and he did not feel this should be a problem. He stated the bigger issue is whether it is considered a cul-de-sac because it does not have the appropriate radius and is more than 440'. He stated they have looked at it being a road with a center line radius around the curvature which, while it does not meet the requirements, is an amenity for the development as a pocket park.

There was further discussion about the type of homes built by Beazer.

Mr. Macaninch stated the brochure shows examples of some of the homes they have built. Mr. Benedetto stated he still feels thirty-five homes is a lot if they are to be between 3,000 and 3,500 square feet. Mr. Macaninch stated they are mindful of the Board's concerns and added that density is always an issue. He stated there are economic realities as well, and to clean up the landfill is a big number; and they have to weigh that with the acquisition costs, etc.

Mr. Stainthorpe stated he feels the Board would like it to be less dense with fewer units. He stated they will have to fix the dump the right way, and the Township does not want that land dedicated to the Township.

Mr. Mark Moffa, 1531 Derbyshire Road, stated he is involved with real estate and is very familiar with Beazer. He asked if Beazer has done any mixed use developments or were there other considerations for this site as he feels more of a mixed use rather than all Residential might be appropriate since this area is the center of the town and along Edgewood Road which is adjacent to a lot of public space in the Township including the ball fields. He stated if there was a little Commercial in this area residents could walk to the shops. Mr. Stainthorpe stated this is R-2 Zoning, and it would not permit this. Mr. Moffa stated the Township would have to be willing to accommodate this so that they could do something more creative with this space as opposed to just another housing development. Mr. Moffa asked the Beazer representatives if they feel the market realities would allow for people to want to buy 3,500 square foot homes that are this close to each other.

Mr. Tom Tetterer, 1343 Edgewood Road, stated he wants to make sure that they have access to public sewers. Mr. Tetterer stated his home is toward the west. Mr. Reardon stated as part of their design they will have public sewer within their development. Mr. McLaughlin asked where they tie in to the sewers, and Mr. Reardon stated their preliminary analysis is that they would run gravity from the development down along the common property line opposite Schuyler, and go down Schuyler and tie into the existing system within Yardley Hunt.

Mr. McLaughlin asked if there is sewer running up Edgewood Road, and Mr. Reardon stated there is not at that location. Mr. Tetteimer stated he wants to know if he is going to have access to the public sewers. He stated currently there is a pressurized main, and they cannot tie into it without an ejector station. He stated the only option is to have the road torn up along Whitehall. Mr. Reardon showed on the Plan how the development drains, and where the gravity line would go. Mr. Reardon showed where the mains will be extended to. Mr. Tetteimer stated the last builder promised them that they would be able to tie in. He stated every time the property changed hands, they came to the meetings and fought for this. He stated they cannot hook up to the public sewers without major expense, and this is de-valuing their properties.

Mr. Garton stated he knows that this is an isolated pocket of properties that are not publicly sewerred for a variety of reasons, and they would be looking at this development as a possibility to add to their ability to buy public sewer there. He stated if the developer is going to sewer the lots that are perpendicular to Edgewood, there may be an opportunity to bring the sewer down Edgewood Road and down to these isolated areas, and they need to explore this as they go forward with this Application.

Mr. Fred Childs, 1345 Lexington Drive, stated his home backs onto Edgewood Road in Yardley Hunt; and he asked the market value of the proposed homes. Mr. Macaninch stated they are looking for a base price in the mid to high \$500,000. Mr. Childs stated he reviewed the Beazer Website and their products were mostly in New Jersey, Delaware and one in Pennsylvania; and they are all in the upper \$100,000 to \$200,000. Mr. Macaninch stated it depends on location and the different home types, and he noted they recently closed out a community in Hillsborough in Central New Jersey, and those homes were \$700,000. Mr. Childs stated he agrees that there are too many houses proposed for this property, and they are too close together. He stated the one access also presents problems. He stated traffic along Edgewood has already grown since he has lived here, and that will be a concern. He stated safety concerns have already been raised about fire access and multiple access routes in and out of the property. Mr. Childs stated he is concerned about the environmental issues as well. He stated Waivers and Variances requested would need to be looked at closely. He stated with regard to Mr. Moffa's recommendation for Commercial development, he does not feel this is an area for Commercial development.

Ms. Helen Heinz stated she has been dealing with this issue since 1986. She stated she agrees with Mr. Tetteimer, and she feels she has a legal document signed by Mr. Garton that they would be hooked up when the development went in. Mr. Garton stated he did not feel he promised this. Ms. Heinz stated she is not sure that she wants to be hooked up knowing what people pay for sewer, but she would

like public water; and the way this is currently configured, there is no way they could get public services. She stated the last time she saw Plans from Hovnanian, they were going to have to dig 30' deep at the corner of the property to be able to hook up the three out parcels to public sewer and water. Ms. Heinz stated since she is back 200' from the road, she does not feel they are required to hook up, but she does feel they would hook up to public water if it were available as it would improve the property. Ms. Heinz stated if they do not put it in, there is the problem of reverse condemnation. She stated all three property owners have discussed this.

Ms. Heinz stated she sees nothing on the Plan about the 1765 house that exists on the property, although it was on the two previous Plans done by Quaker Group and Hovnanian. She reviewed the history of the house. She stated she has never been in the house and does not know its condition. She reviewed who lived in the house over the years. Ms. Heinz stated she also feels that thirty-five homes is too many. She stated the dump was caused by the grading necessary for I-95, and Mr. Harris sold gravel to the company that was building I-95. She stated the dump was 85' deep to begin with, and then Mr. Harris and his family allowed anyone to pay him \$10 and put whatever they wanted in the dump. She stated the last "dumpers" were the Township; and when they emptied out the old Library that was then part of the Township Building, all of the construction debris went into Harris' dump so she feels the Township has some legal responsibility for it. She stated she personally watched Mr. Harris bulldoze a truck underneath and pile dirt on top of it. Ms. Heinz stated if there is a Homeowners Association, they should be make aware that they should not be doing anything on that property.

Mr. Stainthorpe asked their intent with the historic home, and Mr. Macaninch stated they are not proposing to save the home; and the Plan is to take it down. Mr. Stainthorpe stated the County built the new Library, and Ms. Heinz stated she was referring to the old Library that was previously part of the Township Building.

Ms. Donna Doan asked who was the authority that indicated there was nothing toxic in the dump; and Mr. Stainthorpe stated it was part of a presentation made by one of the other builders, and he feels that it was Princeton Hydro that made the presentation. Mr. Macaninch agreed. Mr. McLaughlin asked the developers if they have done comprehensive testing, and Mr. Macaninch stated they have done twelve rounds of sampling to make sure that there was nothing toxic. Mr. Garton stated he recalls that the DEP was involved in the sampling, although he does not recall the details since this was approximately ten years ago. Mr. McLaughlin stated he assumes as the potential buyers, they have seen reports; and Mr. Macaninch stated they have, and they also did their own investigation to make sure they were comfortable with the condition of the property. Mr. Fedorchak stated the DEP has to sign off on the Remediation Plan, and Mr. Macaninch agreed. Ms. Doan asked about liability if something is found later on, and she asked if this could come back on the

Township for approving building on this site. Mr. McLaughlin stated DEP will sign off on it. Mr. Garton stated the Township has no liability; and the Township has an Ordinance which requires that property owners be notified before they buy a house of conditions that exist, and he assumes there will be disclosure about this during the course of activities so that the prospective homeowners will be buying knowing full well what is there. He stated he does not feel the Township will be liable as long as all the clearances are received from DEP. He stated the Township has the right to rely upon the State agency.

Ms. Doan suggested that this property be left alone, and she feels they should walk away from this property.

Mr. Garton stated the Board was in Executive Session for thirty minutes prior to the start of the meeting and discussed the negotiations for a new Contract with the Police Department and there was also a discussion concerning one of the Zoning Hearing Board matters to be considered later in the Agenda. He stated they also discussed a matter of potential litigation involving the Toll Bros. project.

DISCUSSION OF HISTORICAL ARCHITECTURAL REVIEW BOARD

Mr. Garton stated there were questions previously posed about the State Statute which refers to membership of the HARB to be no less than five, one of whom must be an architect, one of whom is the Building Inspector and not the Code Enforcement Officer, and one of whom would be a real estate broker. The other two members would be members having a general interest in historic preservation and the like. He stated the State Statute does not include a maximum number of members. He stated as to the issue of whether you could provide dual duties to include the Historic Commission as part of their duties, they could do that if the HARB members were willing to serve in that separate function.

Mr. Benedetto stated Mr. Garton did send the Board the State requirements but the Township's Ordinance indicates it is the Code Enforcement Officer of the Township of Lower Makefield. Mr. Garton stated he does not disagree, and he feels the Ordinance should be consistent with the State law and should state "Building Inspector." Mr. Benedetto stated they would have to change the Ordinance to stated "Building Inspector," and Mr. Garton agreed he would recommend that they make this adjustment. Mr. Benedetto stated the Ordinance has been in existence for almost ten years, and Mr. Garton stated it actually goes back over thirty years. Mr. Garton stated it was previously not an issue, and no one reviewed it from that perspective; but they can make adjustments thereafter. Mr. Garton stated they would have to advertise an Ordinance to make that amendment.

Ms. Tyler moved and Mr. Stainthorpe seconded to authorize advertisement of an Amendment to the Ordinance related to HARB membership that one member be the Building Inspector of Lower Makefield Township and not Code Enforcement Officer and that the Building Inspector not be required to live in the Township.

Mr. Garton stated the second part of the Motion is needed because rarely is an employee of the Township necessarily obligated to live in the Township, and this change was previously discussed as well. He stated it is a Township prerogative as to whether they are going to require that they be a resident or not. Mr. Benedetto stated the State does not speak to this at all. He stated they are proposing to change the wording that currently exists which is "Code Enforcement Officer of Lower Makefield Township," and instead they are going to change that to Building Inspector. Mr. Garton stated it should be changed to "Building Inspector of Lower Makefield Township" or they could get any Building Inspector. Mr. Benedetto stated they are doing this for Rich O'Brien, but Mr. McLaughlin stated they are changing this to make it compliant with the law. Mr. Benedetto stated he feels they are "stacking the deck" to put Rich O'Brien on this Board. He stated Mr. McLaughlin had indicated at the last meeting that he felt they were having this discussion about Bob Habgood. Mr. Benedetto stated this Ordinance has been in existence for years, and the Code Enforcement Office of Lower Makefield Township is Bob Habgood who does not reside in the Township. He stated now they are saying they want to comply with the State law after twenty years and change it to Building Inspector and that it state Building Inspector of Lower Makefield Township which is not in the State law. He stated the Building Inspector of Lower Makefield Township is Rich O'Brien. Ms. Tyler stated he is the current Building Inspector. Mr. Benedetto stated Mr. O'Brien lives an hour away and works for the Township; and they are going to put him on the Board to make decisions about preserving the historic architectural properties in the Township. He stated they are changing the law for one person. Mr. McLaughlin stated they are complying with the law.

Mr. Benedetto stated when Mr. O'Brien came in to be interviewed, he advised the Board that this was against the Ordinance. Mr. Benedetto stated Mr. O'Brien had indicated that he wanted to be paid, and it was clear that it was against the Ordinance so he could not be paid. Mr. Benedetto stated he also does not live in the Township, and when this was discussed Mr. Stainthorpe stated they would have to change the Ordinance.

Mr. McLaughlin stated he was not previously aware that the Township was not compliance with the State law. He asked Mr. Benedetto if he is advocating not following the State law, and Mr. Benedetto stated there is nothing in there about the Building Inspector having to be a resident of the Township. He stated if they want to change it to state Building Inspector of Lower Makefield Township, he is fine with that; but the State law still does not say he does not have to be a resident. He stated

they are not only changing this to suit Rich O'Brien, but they also have to state he does not have to be a Township resident. Mr. McLaughlin stated they are trying to comply with the law. Mr. McLaughlin asked Mr. Benedetto's concern with Mr. O'Brien; and Mr. Benedetto stated he lives an hour away from the Township and has no connection to the Township as far as preserving property. He stated he also feels it is a conflict of interest for Mr. O'Brien to be ruling on anything as a HARB member since he is actually going out and doing the inspections.

Mr. Stainthorpe stated they interviewed Rich O'Brien who interviewed very well and serves on other HARBS in other communities. Mr. Stainthorpe stated he has knowledge and experience that he feels qualifies Mr. O'Brien very well to be a member of this Board. He stated they want to get this Board to be more user friendly, and he feels Mr. O'Brien would be a great asset. He stated he feels they should change the Ordinance as it will improve the Board. Mr. Stainthorpe stated Mr. O'Brien indicated that he did not need to be paid. Mr. Benedetto stated he said this after he was told it was a violation of the Ordinance.

Mr. Benedetto stated there is a current HARB which can currently be up to seven people. He stated if they move this to five, they have three members. He stated they had three other individuals who were interested in serving on HARB including Stephen Heinz who was asked not to return. He also noted members who resigned in light of being overruled for Certificates of Appropriateness.

Mr. McLaughlin stated all Board members have a right to voice their opinions and vote for who they wish to serve on the Board, and the majority vote will carry.

Mr. Benedetto stated he does not feel they need to get someone who lives an hour away when there are other legitimate candidates. Mr. Benedetto stated Mr. O'Brien does not live in the Township, and he questions what reason he would have to want to serve on this Board. He stated the other individuals live in the Township. Ms. Tyler asked if any of them are Building Inspectors. Mr. Benedetto asked how Mr. O'Brien found out about this position, and he asked if Mr. Fedorchak contacted him; and Mr. Fedorchak agreed he did. Mr. Benedetto stated he feels they are trying to "stack the deck" on HARB when there were individuals who were interested in serving. He stated Stephen Heinz was on the Board, and they did not like his expert judgment. Ms. Tyler stated he is not a Building Inspector. Mr. McLaughlin stated he feels HARB had evolved into a non-effective unit, and he had expressed these concerns during the interviews. He stated all Board members are entitled to their opinions even if they disagree. Mr. Benedetto stated other HARB members decided to resign because they were overruled, and Mr. Stainthorpe stated that was their decision to resign.

Mr. Zachary Rubin, 1661 Covington Road, asked how many Building Inspectors are currently in Lower Makefield since the Ordinance is going to say “the Building Inspector of LMT.” Mr. Garton stated the Ordinance says “Building Inspector of Lower Makefield Township,” and the Statute says “A Building Inspector.” Mr. Rubin stated they want a Resolution that says “the Building Inspector of LMT.” Mr. Garton stated currently it says “The Code Enforcement Officer of Lower Makefield.” Mr. Rubin asked if they have a Building Inspector of Lower Makefield Township, and Mr. Fedorchak stated they have a company, Keystone Municipal Services, that serves in that capacity. He stated that company serves as the Township Building Inspector. Mr. Rubin asked if they are compensated per unit they inspect, and Mr. Fedorchak there is an hourly rate.

Mr. Rubin asked Mr. Garton the definition of a Building Inspector, and Mr. Garton stated this would depend on which Code you are looking at as they are defined in the Construction Code as someone who is “competent, and licensed to perform inspections of various elements of construction.” Mr. Rubin stated it would be a licensed person, and Mr. Garton agreed. Mr. Rubin stated the State Code is nebulous in that it could be any Building Inspector that is licensed in the State, and he feels the Ordinance should be worded like that. He stated how the Motion is worded now it limits it to an employee of Keystone Municipal Services. Mr. Garton stated they could change it to be “a licensed Building Inspector.” Mr. McLaughlin stated he would agree with this. Mr. Rubin stated it is possible there could be a licensed Building Inspector who lives in the Township who is not employed by Keystone Municipal Services who could serve on this Board, and he would not have a problem with that. Mr. Rubin stated the Ordinance currently indicates that the architect and the real estate broker do not have to live in the Township, and they plan on extending that to the Building Inspector as well; and he does not have a problem with that. He stated he would not want to limit it to just one employee of Keystone Municipal Services.

Mr. Benedetto stated currently the two individuals who do not have to be Township residents are the real estate broker and the architect. He stated currently they do not have a real estate broker, and the architect does live in the Township. He stated they are not just changing this to state it could be “a” Building Inspector, they are changing it to say that person does also not have to be a resident.

Ms. Helen Heinz stated they have a unique HARB Ordinance, and it is part of the Zoning Code. She stated when it was put together, she imagines that Mr. Garton had something to do with it; however, Mr. Garton stated it was before he was with the Township. Ms. Heinz stated when it was put together the Historic District was placed in the Zoning Code thus the need to have the Zoning Enforcement Officer be there. She stated Bob Habgood did previously live in the Township; and when he did there was no issue, but the issue came when he moved out of the Township and

he was non-compliant with that position on HARB. She stated this issue also is connected with the Historic Commission and she does not feel it is a good idea to join it with HARB because this District is part of the Zoning Code and as part of the enforcement it makes sense to have the Zoning Code Officer be on HARB. She stated it also makes even more sense to have it be someone who lives here because they are very aware of the Code and how it is put in place. She stated she knows that Bob Habgood has not voted in years, but he is always there to explain the Zoning Code to the new HARB members who do not really have that experience with Zoning Codes and historic architecture. She stated she does not feel they need to change it at all.

Mr. McLaughlin asked Ms. Tyler if she would agree to amend the Motion to be “a Licensed Building Inspector” Ms. Tyler agreed to the Amendment, Mr. Stainthorpe seconded and the Motion as Amended carried with Mr. Benedetto opposed.

APPROVE EXTENSION OF TIME TO MANOR CARE

Mr. Stainthorpe moved, Ms. Tyler seconded and it was unanimously carried to grant an Extension of time to Manor Care to June 6, 2014.

GRANTING CERTIFICATE OF APPROPRIATENESS FOR 680 STONY HILL ROAD

Mr. Fedorchak stated this was unanimously approved by both members of HARB. He stated Giant is going to do renovation work with the facades.

Mr. Benedetto stated he is under the impression that there is not a quorum on HARB. Mr. Garton stated this is an Advisory group, and they make recommendations. He stated what Mr. Fedorchak has indicated is the sentiment of the two members that were there. He stated the Board of Supervisors still has an obligation to act within a reasonable period of time.

Mr. Stainthorpe moved, Ms. Tyler seconded and it was unanimously carried to grant the Certificate of Appropriateness for 680 Stony Hill Road.

GRANTING CERTIFICATE OF APPROPRIATENESS 668 STONY HILL ROAD

Mr. Fedorchak stated this has to do with the Warren-Farringer House and deals with the shingles. He stated the two HARB members were in agreement with this.

Mr. Stainthorpe moved, Ms. Tyler seconded and it was unanimously carried to grant the Certificate of Appropriateness for 668 Stony Hill Road.

ZONING HEARING BOARD

With regard to the Michael and Jodie McVan Variance request for the property located at 1357 North River Road to permit the house to be raised and garage to be rebuilt resulting in encroachment into the 100 year flood plain and encroachment into side yard setback, it was agreed to leave the matter to the Zoning Hearing Board.

OTHER BUSINESS

It was agreed to postpone consideration of Whistleblower Policy and Lease Renewal for 668 Stony Hill Road.

DISCUSSION AND AUTHORIZATION TO GO OUT TO BID FOR ENERGY CONTRACT

Mr. Fedorchak stated he would like authorization to go out to bid for new energy pricing. He stated last time they went with a three-year Contract, and this time he would like to establish opportunities for one, two, and three-year Contracts. He also asked that the Board allow him to lock in with a particular company for one, two, or three years since sometimes the pricing offered is good for only twenty-four to forty-eight hours. He stated he will contact the Board in advance of this.

Mr. Stainthorpe moved, Mr. Benedetto seconded and it was unanimously carried to authorize the Township Manager to solicit bids for energy needs.

SUPERVISORS REPORTS

Mr. Stainthorpe stated he attended the Emergency Management Committee last evening in Mr. Dobson's place, and it was a very good meeting. He stated this is a very good Committee, and the Township is very prepared for storms, floods, etc. He stated there was a presentation on tactical emergency casualty care. He stated all of the Police Force has been trained in this and is for those that arrive on the scene of a disaster or shooting so that they can apply emergency care to stop bleeding and stabilize someone until the emergency responders arrive.

Mr. Benedetto stated Citizens Budget meets on March 17 at 7:00 p.m. in the Township Building. He stated the Electronic Media Advisory Board is looking for candidates, and he asked that those interested send in a resume to the Township. He stated the EAC meets on March 12 at the Township Building, and he asked that those interested attend this meeting.

APPOINTMENTS

Mr. Stainthorpe moved and Ms. Tyler seconded to appoint Judith Grant and Kathleen Nicholson Weber to HARB.

Mr. Benedetto stated Ms. Grant's original interest was in the Historic Commission, and he would prefer to see her on the Historic Commission and Ms. Weber on HARB. Mr. McLaughlin stated Ms. Grant's letter indicated that she would be interested in both. Mr. Benedetto stated he would like the Motion to be broken out as he would like to vote for Ms. Weber for HARB.

Ms. Kaaren Steil explained that Ms. Grant came to their Commission meeting, and she suggested that she apply to both HARB and the Historic Commission. Mr. Benedetto stated he would prefer that she be appointed to the Historic Commission.

Motion carried with Mr. Benedetto opposed.

Ms. Tyler moved and Mr. Stainthorpe seconded to appoint Judith Grant to the Historic Commission.

Mr. Benedetto stated he does not like to see people serve on both HARB and the Historic Commission if they have candidates for HARB, and this is why he wanted her to serve just on the Historic Commission.

Ms. Helen Heinz asked if the Board understands the jobs of these two Commissions, and Mr. McLaughlin stated they do.

Ms. Tyler stated the Historic Commission lacks members because of resignations. She stated the HARB is also in this same position. She stated when doing their Comprehensive Plan and speaking with the County, the County commented that Lower Makefield is probably the only Township they have ever seen that has both Boards; and it is usually one Board that fulfills both roles. She stated although they have not discussed this yet, the Board is going to have a discussion as to merging those two groups depending upon the pool of people that they can draw on for both of these groups.

Ms. Heinz stated the HARB is responsible for the Historic District and their focus should be the architecture of the Historic District. She stated the Ordinance should actually read "Historical Architectural Review Board" instead of "Historical and Architectural Review Board." She stated just this week she had two calls from the Township asking her about properties elsewhere in the Township, and wanting to know if they had to come in and apply for special consideration for National

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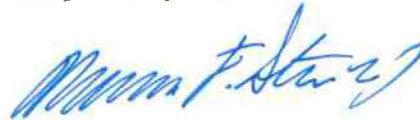
Register for what they were doing with their properties and whether a property in Floral Vale had to come in for review before the HARB; and she does not know who is going to take up that slack. She stated she feels that things that are elsewhere other than in the Historic District are going to “go wherever they are going to go.”

Mr. Benedetto stated although he does not agree with it, he feels with these Appointments it has basically been decided that they will merge Historic and HARB, and he would like to know from Langhorne Borough and Newtown Borough if they have separate HARBS and Historic Commissions.

Mr. McLaughlin called the question, and the Motion carried with Mr. Benedetto opposed.

Mr. Stainthorpe moved, Ms. Tyler seconded and it was unanimously carried to adjourn the meeting at 11:05 p.m.

Respectfully Submitted,



Pete Stainthorpe, Secretary

