

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – OCTOBER 17, 2012

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 17, 2012. Chairman Stainthorpe called the meeting to order at 7:30 p.m.

Those present:

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

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

PUBLIC COMMENT

Ms. Doreen Kaplan stated she is present on behalf of the Veterans Committee and the Special Events Committee and announced they will be having the sixth annual Veterans Parade on Sunday, November 4 at 1:00 p.m. She stated they are having it a week before Veterans' Day at the request of the local Veterans who have other events they need to attend on Veterans Day. She stated the Parade will be on Edgewood Road from Long Acre Lane ending at Veterans Square with the staging area changed to along Edgewood Road. This will necessitate closing one lane on Edgewood Road, and the Police are working with them on this. She stated Ed Torres will be the Parade Marshall, and she reviewed his history of service. Following the Parade, there will be a brief program at Veterans Square which will include the initial flag raising on the flagpole to mark the first phase of the construction of the Veterans Monument. She stated they hope to be able to complete the remainder of the Monument in the spring and perhaps have a dedication on Memorial Day. Ms. Kaplan stated there is still time to purchase a brick or granite paver to become part of the Monument which will help insure that they do have sufficient funds to complete the project.

Mr. Stainthorpe stated this is always a great event. Ms. Kaplan stated Mr. Stainthorpe has agreed to be the emcee.

Mr. Benedetto asked how much the Township is paying toward the Parade, and Mr. Stainthorpe stated he believes that it is \$200 to \$300. Mr. Fedorchak stated last year it cost \$3,000 to \$4,000. Ms. Kaplan stated the band costs \$1,000 and there are costs for Police overtime. Mr. Dobson stated Mr. McLaughlin also donates his Supervisor salary to the Veterans Parade.

Ms. Gudrun Alexander, 256 S. Fieldstone Court, thanked the Board for their support of the clean up that will be held on November 4. She stated they started last Saturday and Detective DeTemple brought some young people to help them with the clean-up, and she would like to invite them to join them on November 4 as well.

Ms. Donna Doan, 1584 Edgewood Road, asked the board to provide an update on the Application for the Conservation Easement for the Patterson Farm which she expected would be submitted in October. Mr. Stainthorpe stated Mr. Fedorchak has committed to having this in by the end of October, and they are due January 1. Mr. Stainthorpe stated he spoke to Rich Harvey at the County Office who advised that there is a point system that is assigned which ranks them on the quality of soils, and the quality at the Patterson Farm is outstanding. He stated they are also ranked on the proximity to other preserved farms and additional criteria. He stated the County Board will look at the ranking of each Applicant; and if the Township ranks high enough, the County would typically make the award, but it does have to be approved by the State Board. He stated the limit is now \$9,000 per acre of State money. He thanked Ms. Doan for bringing this to the Board's attention.

Mr. Tom Conoscenti, 1595 Ginko Lane, stated he hopes everyone who comments tonight will be constructive and respectful. He stated two weeks ago he came to the Board as a courtesy to make the Supervisors aware of a meeting of a large group of residents along Mirror Lake Road to discuss the Patterson Farm. He stated he also presented their view of the issues and their expectations. He stated one of the Supervisors had indicated that the issues were judged by how full the meeting room is, and so they went and discussed the Patterson Farm with the neighbors who surround the Patterson and Torbert Farms; and there are a lot of people present this evening who do have different viewpoints. Mr. Stainthorpe stated he did watch the last Supervisors' meeting on line.

Mr. Conoscenti stated Mr. Fedorchak had discussed Bright Farms, and it had been indicated that there was a shared responsibility for the cost of the detention basin; and he asked what are the total costs to the Township for subsidizing the cost of putting in the roadway and the detention basin. Mr. Stainthorpe stated the roadway will be paid 100% by the contractor who also has responsibility for bringing in all the utilities. Mr. Stainthorpe stated one of the neighbors, Dave Miller, had complained over the years about run off from the Farm. Mr. Stainthorpe stated at one point the greenhouse was going to be located very close to Mr. Miller's property; and the people from Bright Farms met with him, and they decided to move it further away from his home.

Mr. Stainthorpe stated because they are going to be moving dirt, the Township decided to take this opportunity to make a larger than required detention basin with the hope of somewhat mitigating some of the run-off issues. Mr. Stainthorpe stated the Township is not subsidizing Bright Farms; and by Ordinance, Bright Farms could have had a much smaller basin, and it was the Township that wanted it larger to try to help the neighbors in the area.

Mr. Conoscenti stated there are incremental costs to the Township from the Bright Farms project.

Ms. Tyler stated thus far the Township has collected over \$50,000 in fees from Bright Farms for their planning and development. In addition, the Township is collecting rent in excess of \$20,000 for the first year. She stated the net to the Township for **entering** in the Lease with Bright Farms for the first year is in excess of \$70,000 less the Township costs to build the detention basin.

Mr. Benedetto read from Paragraph 5 regarding the detention basin as follows: “Parties agree that the Township shall design the detention basin at its sole cost and expense and shall do the rough grading, but the finish grading and final completion of the detention basin shall be at the sole cost and expense of the tenant.”

Mr. Fedorchak stated he could provide the dollar figure of the cost to the Township by the next meeting. Ms. Tyler stated when they negotiated the Lease, it was estimated that it would cost \$8,000 for the detention basin; and they would be splitting that cost.

Mr. Scott Burgess, 15 Glen Drive, stated he is representing both Woodside Presbyterian Church and Christian Life Prisoner Recovery Ministries (CLPRM). He stated Woodside will be hosting a benefit concert on Saturday November 17 at the Church on Edgewood Road from 7:00 p.m. to 10:00 p.m. Tickets are \$25 but are only \$20 until Saturday, October 20. He stated they are raising money for the CLPRM Scholarship Fund which helps those struggling with addiction get into area recovery homes. It was agreed that this information will be put on the Township Website and TV Channel; and their poster could be put up at the Township Building.

Mr. Harold Koopersmith, 612 B Wren Song Road, stated at the last meeting the Township re-authorized the management company for the Golf Course which means that the Township operates two businesses – the Sewer Authority and the Golf Course. Mr. Stainthorpe stated the Pool is also run as a business as well. Mr. Koopersmith stated he feels the Township does it the right way, but the Country does everything the wrong way and they should have less politics in the Country. Mr. Koopersmith discussed problems with the Pennsbury School District.

APPROVAL OF MINUTES

Mr. Benedetto moved and Ms. Tyler seconded to approve the Minutes of October 3, 2012 as written. Motion carried with Mr. Stainthorpe abstained.

APPROVAL OF OCTOBER 1 & 15, 2012 WARRANT LISTS AND SEPTEMBER, 2012 PAYROLL

Mr. Benedetto moved, Ms. Tyler seconded and it was unanimously carried to approve the October 1 and October 15, 2012 Warrant Lists and September, 2012 Payroll as attached to the Minutes.

DISCUSSION AND APPROVAL OF AWARD OF BID FOR THE SALE OF THE SATTERTHWAITE HOUSE

Mr. Stainthorpe stated this was discussed at a prior meeting. The Township had received a bid in the amount of \$255,000 but there were a number of changes made to the bid documents and they extended this for sixty days so that the attorneys could work out their differences.

Mr. Garton stated a prior Board of Supervisors subdivided this parcel from the overall Patterson Farm. The parcel is approximately 5.19 acres. The prior Board put this property out for public bid for sale, and bids were due late last year. No bids were received. The current Board authorized re-bidding the property for sale, and those bids were due in July. This was discussed at the first meeting in September and the only bid received was reviewed publicly and by the Board. He stated there were many modifications to the specifications that deviated to the extent that it did not provide for the protection of the bank barn and some other things that were of serious concern to the Board of Supervisors. During the discussion at that public meeting what was articulated by the Applicant and their counsel suggested that was not the intent of what they had done to the draft Agreement and the Façade Easement. In order to avoid confusion, it was agreed to defer the award of the bid for sixty days for the purpose of clarifying exactly what was the intention of the Applicant with respect to the bid submitted and those issues that were raised during the course of that public review

Mr. Garton stated subsequent to that time the concerns of the Township with respect to the bank barn and other issues that were raised publicly were raised again to the Applicant's counsel; and they have since that time generated a letter to the Board of Supervisors with an attachment that came in early this week. Mr. Garton stated Mr. Murphy and his clients are prepared to go over the contents of that letter this evening as well as a narrative that was provided with the letter to explain what the bidders intend.

Mr. Edward Murphy, attorney, was present with Dr. Amy Bentz and Dr. Brad Holmstein, who are the sole bidders for the purchase of the property. Mr. Murphy stated also present this evening is Mr. John Milnor who is the consulting architect for this proposal.

Mr. Murphy stated at the prior public discussion, there was some uncertainty about the import of various modifications which the Doctors had made to several of the documents including the Agreement of Sale and the Façade Easement. Since then, in an effort to make it clear and transparent what the Doctors intend should they be awarded the bid, they commissioned Mr. Milnor to prepare a narrative of the proposed guidelines and milestones that would be followed in the course of any renovations to the existing structures on the site. He stated along with the letter they submitted earlier this week, they included the narratives for each building that have been prepared by Mr. Milnor. Mr. Murphy stated Mr. Milnor will go through his outlines for each of the buildings so that there is no misunderstanding of the intentions of the Applicants if and when they were to move forward and how they would propose to treat both the existing barn and the existing Satterthwaite Farmstead.

Mr. Benedetto stated in the bid document it states, "The bid is a firm offer and may not be withdrawn or modified during the period of sixty days after July 11, 2012."

Mr. Benedetto stated he feels this is a modification of the bid; and this is contrary to what the bid itself states which is if you modify it, you are outside of the actual agreement.

Mr. Garton stated as a general principle, a public body for any kind of bid may waive certain of the specifications and conditions as long as the waiver does not materially adversely affect the competitive nature of the bid process. He stated whether this modification is substantial and material is really a Finding of Fact of the Board; and if the Board finds that it is not substantial and not material to the competitive nature of the process, it could waive the specifications to accommodate the proposal. If the Board finds that it was substantial and material, then they could not waive those requirements.

Mr. Benedetto stated he is very concerned about this and also concerned about what occurred in March, and he would like to discuss this further after Mr. Milnor makes his presentation.

Mr. Milnor stated he is an architect who specializes in the preservation and adaptive reuse of historic buildings. He stated Dr. Bentz and Dr. Holmstein have asked him to assist them with the preservation and rehabilitation of the Satterthwaite House and the Pennsylvania bank barn. He stated these two buildings will serve support functions for the equestrian hospital which is being created. Mr. Milnor stated the overall objective for the treatment of these buildings is to preserve their architectural character while adapting them to serve new uses that are compatible with the building's physical characteristics and their location on the property. He stated of paramount importance is to preserve the view of the house and the barn from Mirror Lake Road.

Mr. Milnor stated he has prepared two separate narratives – one dealing with the preservation approach to the Satterthwaite House and the other is the preservation approach for the Pennsylvania bank barn. Mr. Milnor stated the house was built in several phases between 1750 and 1856. He stated the front section of the house which is the eastern-facing section was built in two phases. He stated the first one was the left hand side which was built around 1825 and this was expanded approximately twenty years later to the right (north). He stated this is a distinctive façade in the Federal style of architecture. He stated the wood cladding of the building is different on the front than on the sides which is because there was a hierarchy established by the designers of the building to make the front of the building more special and refined than the sides. He stated the siding on the front of the house is flush wood siding which is a sophisticated treatment whereas the siding on the side elevations and the rear are a less sophisticated treatment. He stated these are what make the defining characteristics of the building, and it is their goal to preserve those defining characteristics and not change the character of the building.

Mr. Milnor stated a really important defining characteristic is the massing of the building – the large front section in the Federal style and the smaller rear wing that projects out to the west is a much more simpler building and probably dates from the 18th Century. He stated they are therefore preserving a building that has two separate very distinctive time periods, and they want to reflect that in anything that they do. Mr. Milnor stated this building will be adapted to serve as office space, reception facility, and conference rooms for the equestrian hospital. He stated the functions that are required to be housed in the building will not require the exterior of the building to be changed in any material way so it will not look like something other than what it is. He stated there may be a necessity to make a very minor expansion for an accessible restroom; and if that were to occur, they would propose that it could occur at locations Mr. Milnor showed on the Plan. He stated there are two existing shed roof additions now, and he showed one on the Plan which is a 20th Century addition which is in very poor condition, and another he showed at another location on the Plan. He stated they are proposing to remove both of them. Mr. Milnor stated while they may need a new asphalt-shingle roof, it will not look different. He stated all of the existing cornices will be restored. He stated the siding will be repaired; and if it needs to be replaced, it will be replaced with a material that exactly matches the color, configuration, and size of the existing material. He stated nothing will change visually about the building during this restoration/rehabilitation process.

Mr. Milnor stated a very important characteristic of these early buildings are the windows because they contribute a pattern and a proportion to the façade which is extremely important. He stated they are proposing to retain and repair but replace if necessary the existing window frames and sash. He stated if the window frames and sash are replaced, they will exactly match what is there and the configuration. Mr. Milnor stated there is the possibility that they can make the building work better in terms of access, and they might

propose to add a very small addition at a location he showed on the Plan. He stated this would be a one-story shed roof addition – probably a back porch – which would provide access to the facility.

Mr. Milnor showed pictures of the interior of the Satterthwaite House, and he stated it has suffered from lack of maintenance over the years; however, there are some handsome interior woodwork features on the first floor. He particularly noted the entrance door. He stated all of this would be preserved and restored. He noted the double parlor on the south side of the first floor which is separated by a wide opening with sliding pocket doors which will be preserved and restored. He stated the western parlor will be preserved and restored as well. He stated this will be a benefit for the reception facility for the equestrian hospital. He stated some of the other rooms have not fared as well and also do not have the kind of distinctive woodwork the other rooms have. He stated those rooms will be adapted to serve functions necessary to support the equestrian hospital operation such as conference rooms, offices, and a lounge for the doctors.

Mr. Milnor stated the roof has leaked for some time, and there is a lot of deteriorated plaster, mold, and cracking plaster. He stated there are also structural problems in the basement. He stated all of this will be corrected. He stated they will also install a new heating/air conditioning/ventilating system, electrical system, and plumbing system which will have no impact on the exterior of the building other than the fact that they may need some condensing units located somewhere around the perimeter.

Pictures of the Pennsylvania bank barn were shown. He stated this is a free-standing structure located to the west of the main house. Mr. Milnor stated it is called a bank barn because it is built into an embankment so that the second level can be accessed through a ramp on the north side. He showed a photograph of the original building which is to the right. He stated it was expanded at some point to the west with an addition he showed on the photograph. He stated the addition is not in very good condition. He stated the original portion has been stabilized structurally and is in very good condition. He stated the western section is not in good condition, and it is their proposal to remove that section but preserve the original building. He stated the exact future use for the building has not been determined, but it will serve in some way to support the equine hospital, and an obvious use would be equipment or hay storage. He stated whatever happens in the building, the exterior façade will be maintained. He stated it will not be converted to an office building with lots of windows, and it will retain its wood siding. Mr. Milnor stated the wood siding that is on the building now is not the original siding and it has gaps. He stated they must consider whether this will be a problem going forward when they select a use for the building. He stated one fix would be to install vertical battens on the outside and create board and batten siding which is typical for barns. He stated they would retain the earthen ramp on the north side, and they would retain the sliding doors.

He stated they may have to replace the hinge doors to make them function properly for the hospital, but they would appear the same. He stated they would like to install a man door in the large sliding door for ease of access without having to open the large sliding doors.

Mr. Milnor stated it is the goal of this project to preserve the character of the house and the Pennsylvania bank barn but incorporate them into the operations of the hospital.

Mr. Benedetto stated he understands that Mr. Milnor did a walk through of the property in 2010, and Dr. Bentz had indicated that Mr. Milnor had stated he saw the potential for the House. He stated Mr. Milnor has indicated that it is going to be used for administrative offices, and he is confused that if they are spending \$500,000 he questions why they would not use this as a residence as it was originally intended. Mr. Milnor stated this is an adaptive reuse project and not a restoration project. He stated this is an equine hospital, and they need office facilities and reception facilities; and this building is a perfect fit.

Mr. Benedetto asked if it could not be both an office and a residence. Dr. Bentz stated the house is 5,500 square feet and her family would only need one quarter of this. She stated they currently live in a 1,600 square foot house. She stated their environmental conscientiousness would not permit them to live in such a large building, and she feels an adaptive reuse for an office which would need a conference room, etc. would be an excellent use for this large, beautiful home. Mr. Benedetto stated in 2010 Dr. Bentz indicated that she needed about 3,000 square feet of office space, and she is proposing to have a 2,200 square foot residence which would equal 5,200 square feet. He feels the 5,500 square foot Satterthwaite House would seem to fit nicely into this. Dr. Bentz stated the attic of the Satterthwaite House would only be used for storage. Mr. Benedetto stated he feels 5,500 square feet would make it conducive to having both an office space and a residence. Dr. Bentz asked Mr. Benedetto if he would want to live in his office, and Mr. Benedetto stated he and his wife actually do since his wife has a business out of her home. Dr. Bentz asked if she has clients coming to the home, and Mr. Benedetto stated she does since she runs a clothing design business.

Mr. Benedetto stated when he talks to people about this project, he feels there is a vast confusion on the part of the Lower Makefield residents since in 2010 Dr. Bentz had indicated that there was a possibility of them actually living in the home although she did not deny or confirm that she would be living in the house. He stated people still feel that the house is going to be updated by Dr. Bentz and that she would actually live in it.

Dr. Bentz stated things have changed since she had discussions with Mr. Milnor, Mr. Murphy, and their engineer since 2010. Mr. Benedetto stated he would like to know why she cannot live in the house as she indicated in 2010; and Dr. Bentz stated it is too big. She stated she feels it will make a fantastic office space.

Ms. Tyler stated if the sale is allowed, the use of the property is up to the property owner, and Mr. Benedetto agreed. He stated he is clarifying for the people that this is actually being used strictly for administrative space, and that has never been clear to most residents of the Township. He stated there are very few people that know that she is proposing to have a 2,200 square foot residence, and he feels that the 5,500 square foot Satterthwaite House could sustain both an office space and a living space.

Mr. Benedetto asked Mr. Milnor if it would not be a livable facility once updated; and Mr. Milnor stated it would be livable, but there is an issue of having an office and a residence in the same building since it is a mixed use and the Building Code looks at those two uses separately. Mr. Benedetto stated he feels it is a lot of money to spend on something for office space.

Ms. Tyler asked Mr. Milnor to estimate the approximate cost of the reuse of the Satterthwaite House; and Mr. Milnor stated while they have not done a detailed cost analysis, it would be somewhere in the vicinity of \$500,000 although this is a very preliminary budget. Ms. Tyler asked the same question with respect to the bank barn; however, Mr. Milnor stated he has not done a cost analysis on that.

Mr. Benedetto asked if the Façade Easement will stay on the bank barn. Mr. Murphy stated after the last meeting they met with Mr. Garton to clarify some of the issues that had been raised at the last public discussion. He stated what they wanted to convey by having Mr. Milnor present this evening was to make sure the Board and the public was assured that the Façade Easement that was recorded under the prior administration during the first bidding process would remain intact modified only by the narrative that was provided. He stated with regard to the bank barn, the only thing that is proposed to be different is the removal of the far western section that was described. He stated otherwise the Façade Easement would apply as it has been recorded and subject only to those modifications that were just reviewed.

Mr. McLaughlin asked the difference between Mr. Milnor's guidelines and the Secretary of the Interior Standards for the treatment of historic properties. Mr. McLaughlin stated one of the concessions being requested is that the Façade Easement for all new construction be consistent with the treatment of historic properties from the Government would be eliminated, but Mr. Milnor's guidelines would become the prevailing guidelines in effect. Mr. Milnor stated the Secretary of the Interior Guidelines for Rehabilitation of Buildings are quite general, and they follow them whenever they are working on a historic building. He stated his narrative follows the Secretary of the Interior Standards. He stated his narrative is more specific, and they felt that this was important because if they were not specific, then everyone would wonder how they were going to approach this. He stated this should take all the questioning out and tell everyone what they are going to do.

Mr. Benedetto asked if they are indicating that they are more stringent than the Secretary of the Interior Standards, and Mr. Milnor stated they are more specific since the Secretary of the Interior Standards can be applied to any building. Mr. Benedetto asked why they are striking them then. He stated if Mr. Milnor's are more specific, they could leave in the Secretary of the Interior Standards and they could then just be more specific.

Mr. Milnor stated he felt that they would rather have something that is very specific, and Mr. Benedetto stated they would still be able to do have the more specific language.

Mr. Murphy stated he feels they did this because there were questions at prior public discussions about the general nature of what was proposed; and there was concern and fear that there was going to be wholesale modifications or attempted changes to the Façade Easement to the House, etc. He stated they wanted to eliminate all of the uncertainty and provide a very specific point by point guideline for what is going to be done so that not only the public but also the staff, as they are considering issuing Building Permits for projects in the future, would have no misunderstanding about what is appropriate and what is not. He stated they have hired the most preeminent practitioner in the area to assist them in preparing the guidelines, and they felt this would provide everyone much more comfort and allay some fear that previously existed.

Mr. Stainthorpe stated in the cover letter it stated that they have agreed to do away with the strike outs with the exception of two things. He stated in Item #2, the last sentence says, "It would be presumed that if the Board of Supervisors were to accept Mr. Milnor's guidelines, any future work on either structure could be accomplished without the need for any further review by any other Board or Commission in Lower Makefield."

Mr. Stainthorpe stated this needs clarification since clearly they will have to still go through the Land Development process and through the Planning Commission and submission of Plans. Mr. Murphy agreed this is correct. He stated that statement was not intended to refer to the Land Development process which they all understand they would have to go through as the normal course. He stated they were talking about trying to avoid at the Building Permit stage months or years in the future so that the staff was not unclear when faced with issuing Building Permits, whether or not the appropriate architectural standards were being met. He stated this has nothing to do with the Land Development process, and they understand and agree that they have to go through the normal public review and discussion associated with Land Development.

Mr. Benedetto asked if this would include HARB, and Mr. Murphy stated their intention was not to go through the HARB process because they are essentially providing the Township with the architectural detail today so that they can move forward more expeditiously. He stated doing a project of this nature where the clients are willing to extend unlimited amount of financial courage to proceed requires some expediency, and they wanted to provide all the needed information now. Mr. Stainthorpe stated he does not feel HARB has say over the Patterson Farm anyway.

Mr. Dobson asked Mr. Garton if they could tighten up the language to make sure it is “air tight;” and Mr. Garton stated the language is just a suggestion in the Applicant’s letter, and it could be clarified such that it means only that the architectural drawings will be reviewed by the staff based on the narrative that has been provided. He stated it does not mean that they will not have to go through all the regulatory review processes that anyone would have to do were they doing a project like this in the Township.

Mr. Stainthorpe stated all of the Board members have the same goal which is to preserve these buildings since they are of a historical nature and are architecturally special. He stated they all agree that the Patterson Farm is special, and this is why the Township stepped up to buy it in 1998. Mr. Stainthorpe stated his intent is to make sure that they can preserve as much of the heritage as possible. He stated the Board also answers to the taxpayers at large, and there are limited funds particularly for historic preservation. He stated most of the Board is not willing to spend \$750,000 to fix up a house unless there is a very, very clear purpose that benefits the public at large.

Mr. Stainthorpe stated the Township owned Elm Lowne which was a historic home located on Dolington Road. He stated the Township owned it for approximately nine years; and it was in much better condition than the Satterthwaite House, but the Township still put \$60,000 a year into it to maintain it. He stated they previously rented it out for weddings and parties, and they never broke even. He stated it had no clear public benefit. He stated without that clear public benefit, he is not willing to invest tax dollars in the property. He stated they eventually sold Elm Lowne with Façade Easements in place; and it is now in private hands, and is being nurtured which he feels is the best kind of preservation. He stated he feels the best way to preserve the property is to have it in private hands to someone who has the pride of ownership and a personal investment in keeping up the property.

Mr. Stainthorpe stated if they cannot agree to proceed with this deal, they will have to come up with something quickly since Option 2 is to tear it down. He stated he is not willing to commit \$750,000 of public money unless they really have something they can use the house for. He stated they have been discussing this since 2003 so they are not rushing to judgment. He stated they had the Heritage Conservancy and the Stakeholders Committee do studies and they made recommendations. He stated they have looked at different kind of programs and have had discussions with DelVal College about possibly using it; but nothing has worked out since 2003. He stated he feels all the Board members want to do the right thing for the Farm and the right thing for the community and see this preserved in the best possible way.

Mr. Benedetto asked Dr. Bentz if she is currently in the equine hospital business, and Dr. Bentz stated she does not own a hospital. Mr. Benedetto stated Sunflower Farm is the name of the LLC which she formed; and Dr. Bentz agreed she and her husband on the advice of her accountant formed Sunflower Farm LLC and that specifically would own

the Satterthwaite Farmstead if they are awarded the bid. She stated Sunflower Farm LLC includes her and her husband. Dr. Bentz stated this was formed for the bid on advice of her accountant. Mr. Benedetto asked the number of staff they propose to have, and Dr. Bentz stated initially they will have fifteen to sixteen, and build it up to twenty-five. She stated it is a small business model.

Mr. Benedetto stated the closest hospital is Mid-Atlantic, and Dr. Bentz stated there is a facility in Ringoes, New Jersey called Mid-Atlantic Equine Medical Center. Mr. Benedetto stated it is about eighteen miles away; and Dr. Bentz stated while she is not certain of the mileage, driving time with a horse trailer would be about an hour. Mr. Benedetto stated he used MapQuest and it is approximately thirty minutes by car. Dr. Bentz stated it would not be thirty minutes with a horse trailer. Mr. Benedetto asked Dr. Bentz if she knows Dr. Peter Bousum of Mid-Atlantic; and Dr. Bentz stated the equine specialist community is very small so they are all familiar with each other, but she does not know him personally. Mr. Benedetto stated he called Dr. Bousum today to ask him about his business, and they have been in business since 1986. Mr. Benedetto stated Dr. Bentz had previously indicated that the equine industry is thriving, but Dr. Bousum indicated that it is declining and has been declining since 2009. Mr. Benedetto asked Dr. Bentz if she knew that Mid-Atlantic is the largest private facility in the Northeast. Mr. Benedetto stated he is concerned about the competition because the existing facility is only eighteen miles away. Dr. Bentz stated in the surrounding Philadelphia County, there are at least 25,000 horses, and in Chester County there are thousands. She stated there are not that many equine hospitals around, but there are a lot of horses. She stated there have been times when other hospitals were so full that they have had to euthanize patients in the field which is heartbreaking for the doctors and the owners.

Dr. Holmstein stated he has his own hospital which is a small animal hospital in Chester County, and he is concerned about Mr. Benedetto's questions and concerns about competition and that he has called a competitor to ask if he would like to have competition. Mr. Benedetto stated Dr. Bousum never asked him why he wanted the information and he did not have any idea who he was. Mr. Benedetto stated Dr. Bousum also indicated he did not know where they would get business from since his business has been in existence since 1986 and he treats Kentucky Derby winners and Olympic champions. His is the largest facility in the Northeast and is on eleven acres and they have forty staff members. Dr. Bousum stated there are large tractor trailers coming to the property to drop off horses, and Dr. Bentz stated this would depend. She stated Mr. Benedetto is trying to compare business models when he does not know what her business model is. Dr. Bentz stated Mid-Atlantic may have a different business model and a different patient basis. She stated they are also in a different State. Mr. Benedetto stated they have a colic barn as Dr. Bentz is proposing to have and according to Dr. Bousum people no longer want to spend the money any more given the economy. Mr. Benedetto stated Dr. Bousum has been in the industry for twenty-six years, and he

had no idea who Mr. Benedetto was and why Mr. Benedetto was asking him questions, and he was giving him honest answers about how difficult it is. Mr. Benedetto stated Dr. Bousum indicated that from a business standpoint, he was not sure where the business would come from.

Ms. Tyler stated the risk of doing business and running a successful business falls upon the owner of the business. She stated what the Board is here to discuss tonight is whether the Township will consider selling this piece of property to someone for a potential business venture, but the risk of that venture is borne by the Applicant.

Mr. Benedetto stated for \$255,000 and a \$500,000 line of credit they will be able to sell the property. He stated this piece of land is over five acres. He stated a few miles away a forty-one acre parcel was sold to a hospital for \$100,000 an acre so he feels they are getting a good deal on this, and the Applicants will be okay if it does not work out. He stated his concern is they could walk away from this if it is not a viable business and make their money back and “then some.” He stated he feels they are getting a nice piece of property in the prime section of Lower Makefield for a total of \$255,000. Mr. Murphy stated no one else bid on this for the last two years.

Mr. Benedetto stated they signed a non-collusion affidavit and in that affidavit it states, “Bidder has not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, open, and competitive bidding in connection with the above solicitation.” Mr. Benedetto stated in March they got a Satterthwaite property “Sixteen Questions” that mirror exactly the Agreement of Sale, and these questions were directly from the bidders before them this evening. Mr. Benedetto stated he does not understand how they could look at this and say this has been an open and transparent process. Mr. Garton stated the questions came from the prior bid process that had been undertaken by the prior Board and some prior conversations that took place in public he believes involving Dr. Bentz. Mr. Stainthorpe stated Dr. Bentz has been before them numerous times. Mr. Garton stated the questions were gleaned by the prior bid process and the public discussion that took place between prior Boards and Dr. Bentz. He stated most of the bid documents mirror the ones that Mr. Truelove did the last time it went through.

Mr. Benedetto stated he feels it is very suspicious. He stated there is a question that indicates, “Are you willing to commit to moving the leaf pile,” and Paragraph 17 has “Leaf Pile – Seller will remove existing leaf pile and agree not to compost within 500 feet. He also stated “Agreeable to relocating driveway” is part of the bid process as is “Agreeable to not having the Community Center constructed on Patterson Farm.” Mr. Benedetto stated he feels it is very unusual that it is exactly the same.

Mr. Garton stated the non-collusion affidavit does not go to the preparation of the bid documents, but goes to two bidders getting together and indicating what they are bidding. He stated that is the collusion that is designed to be prevented by the bid. Mr. Garton stated they wanted to take the pulse of the Board as to what they wanted in the general parameters of the bid document, and collusions did not occur because Dr. Bentz did not collude with anyone as far as submitting or not submitting her bid. Mr. Benedetto stated he is not as concerned about Dr. Bentz as he is about the Township's liability in this because he feels they are on "extremely thin ice." He noted specifically Question 15 which states, "Agreeable to permitting construction of another home on the property;" and Dr. Bentz just indicated that in 2010 she was not certain whether she was going to live in the Satterthwaite House or not. Mr. Benedetto stated now as part of her bid process, Dr. Bentz has a 2,200 square foot facility included and it is consistent with the architecture of the other houses. Mr. Stainthorpe stated he remembers discussing this in public, and Mr. McLaughlin stated there was a Site Plan presented.

Mr. Benedetto stated he is talking about in March when these sixteen questions were handed to the Board, and then they become a part of the Agreement of Sale; and he feels the Township is on extremely "thin ice" on the entire bidding process. Mr. Benedetto stated this is supposed to be an open and transparent process, and Ms. Tyler stated it has been; however, Mr. Benedetto disagreed and stated he guarantees the public knew nothing about a sixteen question document that the Board received in Executive Session, and then the Agreement of Sale became exactly what the questions asked.

Mr. McLaughlin asked Mr. Garton if they have conducted themselves in an open and transparent manner, and Mr. Garton stated he does not believe that the Board violated the law with respect to the discussions on crafting the bid specifications. Mr. Benedetto asked if they are allowed to discuss the sale of real estate in Executive Session, and Mr. Garton stated this is a question that is up to dispute because at the Commonwealth Court, Judge Pellegrini, the Chief Judge of the Commonwealth Court, says "yes;" however, Judge Dave Heckler, the District Attorney does not necessarily agree but agrees that it is a gray matter. Mr. Garton stated there was not a discussion about price, but there was discussion about what would be in the set of specifications. Mr. Benedetto stated the questions were handed to the Board in March in Executive Session and were discussed. Mr. Garton stated he agrees that it was discussed. Mr. Benedetto stated Mr. Heckler said that it should not be discussed because it breaks the Sunshine Act. Mr. McLaughlin stated another Judge stated it did not break the Sunshine Act. Mr. Benedetto stated he is concerned about this.

Mr. Benedetto asked how many acres Dr. Bentz will need to lease for a pasture, and Dr. Bentz stated she would need a few acres.

Mr. McLaughlin asked Mr. Garton if the Board has any obligation to lease additional acreage, and Mr. Garton stated they do not. He stated Dr. Bentz has the right to ask, and the Board could agree; but there is no obligation.

Mr. Benedetto stated Dr. Bentz indicated that she would have a post and rail fence, and he asked if that will be around the entire perimeter of the property; and Dr. Bentz stated the house from Mirror Lake Road would appear the same, and they would do a tree lined drive and behind that would be a fence.

Mr. Dave Beckelman, 1581 Stapler Drive, stated he agrees with Mr. Stainthorpe about the use of taxpayer dollars and where money should go; and he does not feel it is the role of Government to support vacant property in the community. He stated he did review the bid and saw that there were certain requirements of the Township such as moving the leaf pile and not using the driveway, and he asked what those costs are expected to be relative to the \$255,000 being paid for the property.

Mr. Fedorchak stated there are a number of alternatives they are looking at in terms of the relocation of the leaf piles; and one would be to relocate the leaf pile further west on the Farm and another, which at this point may become the preferred alternative, is to move it to the Snipes Tract. He stated he would estimate that this cost would be less than \$50,000. He stated there is certain preparatory work that would have to be done on site much of which can be accomplished with Public Works equipment and employees. He stated they would be required to have some sort of platform for the leaves and a driveway into the facility; and rather than purchasing stone which would be cost prohibitive, they would be using millings from Township roads that are going to be resurfaced. He stated the \$50,000 amount may be high.

Mr. Benedetto asked the size of the leaf pile that needs to be moved, and Mr. Fedorchak stated they would not move anything. He stated the leaf pile that is currently on the Patterson Farm would be tilled into the soil. He stated they are looking at alternative sites and the cost to completely and properly develop those alternative sites.

Ms. Tyler stated they also have the need to do what Mr. Fedorchak has outlined by virtue of the fact that they are building new ball fields in the area where they currently stage the mulch, and are also planning a Community Center on the area where they currently stage mulch and leaf piles. She stated it is not just the contemplation of this particular sale, but rather they are looking at the leaf collection and distribution policy in totality and this is just one aspect of that re-allocation.

Mr. McLaughlin stated there was also a drawing by the engineer that had suggested that they relocate the leaf pile to the By-way intersection which he did not feel any of the Supervisors wanted to do. Mr. McLaughlin stated they wanted to look for a new location, and that cost was already upon them because they were building the new ball fields. He stated this therefore was going to be a cost anyway. Mr. Beckelman stated he was concerned that the leaves in the existing pile would actually have to be physically moved, and he now understands that this is not the case.

Mr. Beckelman asked about the control of the property and stated he understands there are restrictions in the Deed as to how the property can be used if this purchaser decides not to continue the business. He asked if it would permit anything else to be built. Mr. Stainthorpe stated if they wanted to convert the Satterthwaite House from offices back to a residence, this would be permissible. Ms. Tyler stated the only say that the Township would have if the sale were consummated is the enforcement of the Façade Easement. She stated Dr. Bentz could sell the property to anyone in the free market, and that person would be bound only by the Façade Easement on the home and the barn. Mr. Beckelman stated they would be able to do whatever they wanted with the rest of the five acres, and Ms. Tyler stated it would need to be permissible within the Zoning. Mr. Beckelman asked if the Zoning to use it as an equine hospital will convert the Zoning to something that could allow another commercial use. Mr. Stainthorpe stated most likely it would remain as Residential Zoning – R-1, and they could be granted a Variance to have the equine hospital. He stated it would not change the underlying Zoning. Mr. Beckelman asked if it could only be used for another equine hospital or a residence in the future, and Mr. Tyler stated it could be used for anything the Zoning Board would later approve in the form of a Variance.

Mr. Benedetto stated since it is currently zoned Residential, the Zoning Hearing Board will have to grant a Variance to Dr. Bentz or the deal will not go through.

Mr. Benedetto stated he heard a much greater amount than \$50,000 from Sam Stewart with regard to the costs for relocating the leaf operation. Mr. Benedetto stated they have been “burned before” with Bright Farms. He stated he heard a six figure amount and now Mr. Fedorchak is saying it is \$50,000. Mr. Benedetto stated he also had a discussion with Mr. Dresser, and the “so-called drain of Patterson Farm that they have to get off their hands” each year because the leaves are being dumped on the property is actually saving the Township approximately \$285,000 a year. He stated in 2008 the per-ton cost for leaves by Waste Management was \$67 and there were over 6,000 tons of leaves.

Ms. Tyler stated they are moving the leaves to another location and the cost involved is preparing the staging area for those leaves. Mr. Benedetto stated there is a cost to move the leaves. He stated he is making the comment that while according to what everyone is saying that “Patterson Farm has not done anything for them and has been a tremendous drain,” they have actually been saving the taxpayers \$285,000. Mr. Stainthorpe stated

they very much acknowledge the savings that they get by not having to take the leaves to Waste Management. He stated the leaves went to the Patterson Farm when the Pattersons owned it. Mr. Benedetto stated he never heard this acknowledged and a dollar amount has never been put on this; and Mr. Stainthorpe stated this is not correct.

Mr. Benedetto stated the amount of money they received from the County Open Space Land Grant is \$687,000 that the Township got back. Ms. Tyler stated this went toward the purchase of the property, but Mr. Benedetto disagreed and stated it went into the General Fund like everything else. Mr. Fedorchak stated he was involved in the sale of the property when Mr. and Mrs. Patterson sold the property to the Township and was also involved when the Township secured the \$685,000 Open Space Grant from the County. He stated in May of 1998 the County Open Space Board awarded the Grant to the Township. He stated they advised the County Open Space Board and the Board of Supervisors and made it clear that the Grant went toward the purchase of the Patterson Farm. Mr. Benedetto stated the Patterson Farm was purchased in June of 1998, and he asked when they got the \$685,000. He stated he feels it was in 1999.

Mr. Beckelman stated he understands the initial estimate to meet the requirements of the bid is \$500,000; and he asked if it is significantly more expensive does the Township have the ability to cancel the sale. Mr. Garton stated if they do not do the complete renovations, the Township keeps the letter of credit that is posted at the time of closing. Mr. Beckelman stated he is concerned about expenses that are required in the transaction and if it turns out that it is much more expensive. Mr. Garton stated if they breach the Agreement without a valid reason, the Township is improved by \$500,000.

Mr. Beckelman stated he is concerned that it may be more of a drain on the taxpayers setting up the property, and Ms. Tyler stated the Township has to move the leaves and to prepare staging areas by virtue of the ball fields and the Community Center projects regardless of the sale of the Satterthwaite House.

Mr. Harold Koopersmith asked if it is correct that if the Township does not sell the property to the Doctors, they will tear down the buildings; and Mr. Stainthorpe stated this is only his opinion. Mr. Koopersmith asked the cost to tear the buildings down, but this cost was not known. Mr. McLaughlin stated this is the last and worst option. Mr. Koopersmith stated he feels they should sell the property to the Doctors.

Ms. Elizabeth Beckelman, 1581 Stapler Drive, stated her home is across the street from the Patterson Farm and the Satterthwaite property. She stated there is a large green sign on the corner of Mirror Lake and Yardley-Newtown Roads which refers to 234 preserved acres and was one of the main reason why she and her husband decided to purchase their home. She asked their interpretation as to what the sign means. Ms. Tyler stated the

Patterson Farm is approximately a 220 acre parcel purchased by the Township for \$7.2 million in 1998. Shortly after that purchase, the Township received Conservation Easement money that covers about seventy acres across the Farm. She stated the Conservation Easement was drawn in such a way that it would make the property undesirable to developers since they could not make large neighborhoods. She stated the only portion of the 220 acres of the Patterson Farm that is preserved are those approximately 70 acres just referred to, and the remainder of the Farm was not purchased with Open Space money so the sign is wrong.

Ms. Beckelman stated as a taxpayer she is concerned that maintaining the sign presents a liability to the Township. She stated many residents moved to the area with the promise that they preserved 234 acres of open space in their community before purchasing their home. She stated whether the sign is misleading or completely misunderstood, the threat of commercialization and the potential lack of protection from this Township may cause surrounding property values to drop. She asked if they have considered that they might be opening up the Township to significant litigation liability; and Mr. Benedetto stated he has. Mr. Stainthorpe stated he does not see how. He stated there is other preserved land in the Township that is not in dual ownership. He stated the Five Mile Woods is a fabulous nature preserve that was bought with Township money many years ago. He stated there are no Conservation Easements on it and there is no dual ownership, but he considers this as preserved. He stated they indicated earlier that they are seriously pursuing the additional Conservation Easements through the State and the County. Mr. Stainthorpe stated they do want to insure that a future Board does not decide to start selling off pieces. He stated they are selling off buildings which are in disrepair and will cost the Township a lot of money, but he is a believer of keeping the balance of the Farm, the farmland, in tact since it is working.

Ms. Beckelman asked how they can do this with a 10,600 square foot equine hospital being proposed to be built on the site along with additional structures. Mr. Stainthorpe stated it will be built on the five acres that are subdivided out, and it does not encroach into the farmland. Ms. Beckelman stated it has nothing to do with farming. Mr. Stainthorpe stated he feels it has everything to do with farming.

Mr. McLaughlin asked Ms. Beckelman what she would do, and Ms. Beckelman stated she would knock the house down. She stated she lives three houses away, and she does not want to see structures in preserved open space. She stated she is concerned that the property is going to be lit up like a ball field. She stated she wants to see farmland when she comes into the Township, and she does not want to see the existing structures. Mr. McLaughlin stated he feels there will be outrage if they knock the house down. Mr. McLaughlin stated he feels Bright Farms is farming, but he does not want to see any more development. Mr. McLaughlin stated he would be 100% in support of locking this up further with a Conservation Easement. Mr. McLaughlin stated he is not in favor of development of the Farm which he feels is an asset to the Township.

Mr. McLaughlin stated he is trying to save the House without putting the burden on the taxpayers as he is a steward for taxpayer money. He stated they are trying to get the best of both worlds. He stated he wants to get the Conservation money so they can make sure that the Farm will not be developed and they can put a sign on the property that really means that it is 100% preserved. He stated the Board does not want to develop the Farm even though they would get out of a lot of the financial problems if they sold it to a developer. He stated they are trying to preserve the Township way of life without overburdening the taxpayers. He stated the easiest way to do this would be to sell the Patterson Farm, but the Board does not want to do this. He stated they are trying to make this historical house safe, use some of the land for a creative way of farming, and to get some revenue into the Township,

Ms. Beckelman asked if they feel that they have the Pattersons best intentions at heart, and Mr. McLaughlin stated he does. Ms. Beckelman asked why their Deed specifically says if they subdivide a parcel, no more than five acres can be sold and only a single-family dwelling can be put on five acres. Ms. Tyler stated those provisions being referred to on the Deed of Transfer expired when the Pattersons passed. Ms. Beckelman stated the Pattersons are still speaking to the Township because those revisions were what they wanted. Ms. Tyler stated the revisions were in there because after they sold the property to the Townships, the Pattersons remained on the premises. She stated once they were deceased, those limitations being referred to were no longer applicable to the property; and they are not applicable to the property today.

Mr. Garton stated the restrictions are set forth in the Deed, but the next Section reads, "And the Grantee, that being the Township, by acceptance of this Indenture agrees with the Grantor, being the Pattersons, that the restrictions shall be enforced as relates to the use of the property for the benefit of Grantor during their natural lives." Mr. Garton stated during the time leading up to the acquisition, the Pattersons wanted to make sure that they could still farm the entire property without the Township doing anything that would deviate from what their intentions were; and they stayed farming for several years thereafter, and this was the reason for the restriction so that nothing would happen while they had use of the property. He stated once they passed away which has been approximately twelve years ago, those restrictions were no longer applicable. He stated there are no restrictions in the Deed because of the passing of Mr. and Mrs. Patterson.

Mr. McLaughlin stated with regard to the spirit of the Pattersons, he believes that they would weep if they saw the condition of the Satterthwaite House today. He feels he has their best interest, and he feels they would want to see the house restored. He stated he does not feel they are violating the spirit of what the Pattersons would want.

Ms. Beckelman stated this is more than just a house and a barn. She stated this is development of their land, and you can never get that farmland back again.

Mr. McLaughlin stated they are not sacrificing any farmland.

Mr. Benedetto stated there are relatives of the Pattersons in the audience tonight, and he has had discussions with them and feels the Pattersons would not be happy with this sale. He stated the Pattersons intended this to be a farm. He stated the fact that this house is in such a state of disrepair is the responsibility of the Township which has allowed this. He stated the other Supervisors should take the time to speak to some of the relatives of the Pattersons. He stated this is not what they intended at all.

Ms. Beckelman stated Sam Stewart rents the existing farmland, and she asked why the rent money paid by Mr. Stewart has not been put into a Patterson Farm account and used to fix the properties. Mr. McLaughlin stated it has been; however, Mr. Benedetto disagreed. Ms. Beckelman asked if there is a fund for historic preservation or for these farms or for the Patterson Farm so that the rents from the Farm go into the Farm.

Mr. Fedorchak stated Mr. Stewart pays approximately \$20,000 a year. He stated a short time ago he provided for the public a cost study that took into account the amount of money that the Township spent toward the Patterson Farm between the years 2005 through 2010. He stated he was able to identify over \$600,000 that the Township has invested in various ways into the Patterson Farm.

Ms. Beckelman stated because there is still a lot of discussion, she feels they should push this back tonight until they can get a clearer picture of everything that is going on. She stated there are so many questions that need to be answered. She stated she feels they need to see if there is a solution without selling the property or if there is a solution to sell the property and maintain it.

Mr. Fedorchak stated at least \$400,000 was spent on major capital improvements during the period of time from 2005 to 2010. He stated they spent \$35,000 on a new roof on the main barn – not the one that is part of the Satterthwaite Parcel. He stated they spent more than \$24,000 painting the front of the Satterthwaite House and spent nearly \$240,000 of renovation work on the Satterthwaite barn and this did not include the architectural costs or engineering costs that were involved in putting together the specs. He stated they also spent \$115,500 on a new roof that was done in 2008, and they received as part of that approximately \$47,000 from the County as a Grant. He stated a minimum of \$400,000 was spent in that period of time. He stated during this same period of time there was also at least \$200,000 in operating expenses. Mr. Fedorchak stated a good piece of those operating expenses included fixing dormers and roofs on other structures on the Farm.

Mr. Fedorchak stated the Township has done their best to be good stewards of the property, but they are limited by the amount of money they have available. He stated they have tried on several occasions to secure Grants to help pay for these costs and most of the time they were unsuccessful. He stated it is wrong to state that they have neglected the Satterthwaite House or the Farm.

Ms. Gudrun Alexander stated she moved to the Township twenty years ago and there was a farm across Stony Hill Road which is now a development. She stated she would prefer seeing a veterinarian hospital on the Patterson Farm as opposed to new houses. She feels what is being proposed is farming and it would preserve the Farm.

Ms. Roseanne Friehs, Historic Commission, stated the Historic Commission is opposed to the sale of the Satterthwaite House. She stated by selling the House and the 5.14 acres to become an equine hospital, it will change the Farm forever. She stated the Township had a strategic plan written in 2007 by Jeff Marshall, but it was never implemented. She asked what is the Board's strategic plan for the Patterson Farm and where could residents see the Plan which should be in writing.

Ms. Friehs stated at the last Board of Supervisors meeting Mr. McLaughlin stated that the house and barn are falling down, and she asked Mr. Milnor if this is correct as she believes that this is an inaccurate statement. Ms. Friehs stated the Township has invested hundreds of thousands into repairs as noted by Mr. Fedorchak. She stated they acquired a Community Development Block Grant to stabilize the house and the barn. She stated she does not feel the Township would invest tax dollars into the house and barn if they were not worthy of being preserved.

Ms. Friehs asked Mr. Milnor about the term re re-adaptive reuse as opposed to rehabilitation and Mr. Milnor's specific standards versus the Secretary of the Interior Standards; and she asked how the re-adaptive reuse compares to preservation. Mr. Milnor stated the Secretary of the Interior Standards for rehabilitation apply to adaptive reuse projects. Ms. Friehs asked if it is the same as preservation, and Mr. Milnor stated it is. Mr. Milnor stated the Secretary of the Interior Standards were established to guide the adaptive reuse of historic buildings, and they recognize the fact that buildings cannot continue to be residences forever in some cases and may have to become something else. He stated the Secretary of the Interior Standards guide the treatment of the buildings so that the historic character and character-defining features are preserved. He stated adaptive reuse is definitely preservation.

Ms. Friehs provided information on the history of the Satterthwaite House and the Patterson Farm.

Mr. Milnor stated Ms. Friehs had asked if the house was falling down, and he stated the house is getting worse every day; and they are looking toward winter coming with condensation, mold growth, and water penetration. He stated the main part of the barn was very well stabilized by the Township, but they did not stabilize the footings and the foundations of the western wing, and that is not in good condition.

Ms. Friehs stated the roof was put on four years ago so the house should be “mothballed.” Mr. Milnor stated you cannot permanently “mothball” a building, and it needs to be ventilated and attended to. He stated it needs to be repaired constantly. He stated the building is not getting any better. Ms. Friehs stated while she understands this, the roof was just put on four years ago, and he was discussing re-roofing. She stated she feels a roof four years old should not need to be re-roofed. Mr. Milnor stated he meant that if they had to replace the roof, it would be an asphalt roof – not that they have to do it now. He stated in the future, they would want to know what the plans are going forward. Ms. Friehs stated Mr. Milnor had also referred to leaking, but she had talked to Mr. Jones who does maintenance for the Township and he indicated that he was in the building within the last two weeks, and there were no leaks at all. Mr. Milnor asked that she go through the building; however, Ms. Friehs stated it has been off limits. Mr. Milnor stated it is becoming more and more expensive to rehabilitate. Ms. Friehs agreed that something needs to be done.

Ms. Friehs stated the original portion of the Satterthwaite House was on a 1732 tax list, and this means this property was pre-Revolutionary. She stated she feels the house deserves to be a home rather than office space and storage area as proposed by the equine hospital. She stated the Board of Supervisors are public servants, and they have the duty to hear what the Historic Commission as an advisory Board is advising. She stated the Board of Supervisors also has the duty to listen and hear the concerned residents present tonight. She stated they all want Patterson Farm to be the best that it can be now and in the future.

Mr. Doug Woolverton, 995 Plowshare Road, noted the Bid Conditions and Requirements on Page 8 Item #6 states, “The Township has the right to reject all bids if the bids are viewed to be less than fair market value for the Satterthwaite Farmstead.”

Mr. Woolverton stated his home is a few blocks from the Patterson property, and seventeen years ago he purchased the lot on which to build his home for \$128,000 for one acre. He stated the Township purchased the Patterson Farm for \$7.2 million and there was just a single bid received in the amount of \$255,000. Mr. Woolverton asked if a fair market value was established for the proposed 5.1 acres for the Satterthwaite Farmstead; and if there was, how was it determined. Mr. Woolverton also asked if there was discussion, public or in Executive Session, regarding the proposed bid and the appropriateness of rejecting it based on it being less than an established fair market value.

Mr. Fedorchak stated he has the complete appraisal report that was done by Gleeson Real Estate which Mr. Woolverton could review. Mr. Fedorchak stated there were two scenarios that Mr. Gleeson looked at which are contained on Page 13 which read as follows: “The as-is market value estimate of \$260,000 assumes that the subject will be encumbered with a Deed Restriction that will prohibit demolition of the existing farmhouse.” Mr. Fedorchak stated that is the proposal that they are discussing this evening. Mr. Fedorchak stated under the Conditions that the Board of Supervisors have established, the appraised value is \$260,000. Mr. Fedorchak stated Mr. Gleeson goes on to say that, “The as-is market value estimate of \$335,000 assumes that the subject will not be encumbered with the Deed Restriction that will prohibit demolition and the existing farmhouse will be demolished at an estimated cost not to exceed \$15,000.”

Mr. Benedetto asked if this is the entire 5.1 acre parcel, and Mr. Fedorchak agreed it is the whole piece.

Mr. Woolverton asked how many appraisals were received, and Mr. Fedorchak stated they had this one.

Mr. Fedorchak stated in answer to Mr. Woolverton’s question, they did not discuss the bid in Executive Session.

Mr. Woolverton stated in the letter dated October 15 addressing the numerous strike outs from the bid proposal the last sentence stated, “It will be presumed that if the Board of Supervisors were to accept Mr. Milnor’s guidelines, any future work on either structure could be accomplished without the need for any further review by any other Board or Commission in Lower Makefield Township.” Mr. Woolverton stated while they discussed this, when he looked at the copy he saw of the strike outs, it seemed that it was almost completely with the intent of eliminating oversight. He stated looking at the Milnor report, one of the items in that also says, “At the discretion of the equine hospital management, the interior architectural details will be preserved.” Mr. Woolverton stated on a historic reenactment event in the recent past, he had an opportunity to tour the properties as they were available, and the House and other buildings on the property are a “treasure.” He stated he lives close to the property and is aware of what is going on and he feels there are serious concerns about which direction the Township is going. He stated comments were made about how much the Township has spent on the buildings on the Farm, and he agrees they are substantial; however, when he looks at a huge project, there are a lot of people in the Township casting votes based on some of the decisions that they are planning to be made. He stated if they look at major projects and how to establish game plans on what needs to be done, it is not simply a matter of how much was spent but there should be detail in looking at what are the major components, the preservation components, and the on-going maintenance upkeep. He stated when they stabilized the barn, the reason it was re-stabilized was so that it would not fall down. He stated had they not done this, the barn may not be here today. He stated when

they re-stabilized the barn, it was essentially a one-time amortization cost that cannot be factored into the cost of owning the property. He stated this is also true about other things. He stated there is maintenance and repairs and preservations. He stated there are major things that need to be done and on-going things that need to be done to establish the Satterthwaite House.

Mr. Woolverton stated any of the uses of the existing Farm whether it is for the arts and crafts, the Farm Lease, or leaf disposal, will all occur in a different driveway than currently; and Mr. Stainthorpe agreed. Mr. Woolverton stated he is aware of the kind of traffic that goes on the road; and the stretch is similar to a chicane whereas the elevation of the turn and curve in the road is problematic. He stated it is posted forty miles per hour and has thirty miles per hour posted around the curve of which there is no shoulder on either side. He stated there are tractor-trailers and trucks needed and the other driveway that will have to be used is right next to the non-shouldered area of the road that is very narrow with cars speeding. He stated it is also partially blocked visually because of the traffic. Mr. Woolverton stated he feels this is an impact that may not have been considered. He stated the driveway for the equine hospital will now be off limits to the Township. Mr. Woolverton stated a lot of trucks that go to the grocery stores in the area come off of 95, go up 332, make a turn on Mirror Lake Road, and go to the grocery stores. He stated looking at the impact and the addition of horse trailers and employees for this business, he is concerned about the impact.

Mr. Woolverton stated it is critical to think about the historical value and everything the Supervisors do is historic as well since it is documented and recorded. He stated some of these things cannot be reversed, and they cannot have back the topsoil that was taken off of the property that is now gone. Mr. Stainthorpe stated the engineer went out to the property and it is all still there and was spread around.

Mr. Woolverton stated Mr. Stainthorpe stated if they do not do this deal, they will take the house down; and Mr. Woolverton stated he does not feel this will happen. He stated he feels they could get interested citizens involved and put together a task force to look at options they have for raising funds and preservation monies that could be put into trusts. He stated once they do the major stabilization and have the ability to have the property sustained for the long term, it is a much more manageable budget in order to keep it operating as a home and as historic value to the community.

As there were no more questions for Mr. Milnor, he left the meeting at this time.

Mr. David Zewe, 1605 Ginko Lane, stated one of the reasons he moved here was because of the large amount of open space that was available to the residents of the Township. He stated he is dismayed that the Board of Supervisors would be looking to do something which he considers to be spot zoning which is taking a parcel which is larger than what

was originally proposed for subdivision in the original Deed that was signed with the Patterson family and taking it from a Residential or Farm/Agricultural to Commercial. He stated he understands that in order to do this, it has to be re-Zoned since it is clearly not a Residential use. Mr. Stainthorpe stated they will have to go before the Zoning Hearing Board and request a Variance, and technically it will not be re-Zoned. He stated the Supervisors do not weigh in on this, and it is the Zoning Hearing Board that makes this decision. Mr. Zewe stated if the Board accepts the Bid, they have in effect conceded that they approve what is being done. Mr. Stainthorpe stated if the Zoning Hearing Board does not grant the Variance, the Applicants are released from the Contract.

Mr. Benedetto stated he agrees with Mr. Zewe that the Board of Supervisors has the decision to make tonight, and the Zoning Hearing Board will use this in their Decision. He stated the Zoning Hearing Board is an independent body, but the reality is that the Board of Supervisors has full responsibility for this decision.

Mr. Zewe stated as a resident that lives directly across the street from the Satterthwaite House, he questions what this will do to his property value because it will be a Commercial entity. He stated the Board of Supervisors may be gone in a few years based on tonight's decision; and he asked what will prevent another Board from subdividing this parcel again and again. Mr. Benedetto stated there is nothing to prevent this. He stated seventy acres is preserved along the I-95 corridor from County Easement money, but the rest died with the Pattersons. He stated the Pattersons' wishes were to keep this as a Farm, and the Board can do anything they want with that piece of land. He stated 70 acres is preserved, and 160 acres not preserved. He stated it is not Deed Restricted in any way.

Ms. Tyler stated it is the uniqueness of the Satterthwaite House that precipitated the prior Board to subdivide the property. She stated they subdivided this particular parcel in hopes of preserving the House. Mr. Zewe stated obviously they are not doing this. He stated it is not a house anymore, and it is an office building. Ms. Tyler stated the exterior of the building will be the same. Mr. Zewe asked if he would be able to make an office building out of his house which is across the street; and Ms. Tyler stated he would have to go before the Zoning Hearing Board, just as these Applicants will have to do, and request relief from the Zoning Hearing Board. Mr. Zewe stated if the Board of Supervisors accepts this bid, they are adding their "seal of approval."

Mr. Zewe stated he wanted to put a pool in his back yard, and he had to downsize his pool because he did not meet the Township's requirements for impervious surface. He stated he understands that there will be a Waiver for impervious surface for this proposal, and Mr. Stainthorpe stated this would be up to the Zoning Hearing Board. Mr. Zewe stated as the Board of Supervisors for the Township and the residents' representatives, the Board should take this into consideration. Ms. Tyler stated this is not a decision the Board of Supervisors is empowered to make. She stated impervious

surface is handled by the Zoning Hearing Board, and the Board of Supervisors has no say over it. She stated all they are deciding this evening is whether the Township has the will to sell this parcel.

Mr. Benedetto stated Dr. Bentz did provide an impervious surface breakdown, and it goes from an existing 8.5% to a proposed 28.8% impervious surface, and this would have to be approved by the Zoning Hearing Board. Mr. Zewe stated the average resident of the Township would not get this Variance.

Mr. Zewe stated he feels they are being told a “story.” He stated they are hearing that the house is in total disrepair and all the repairs that the Township has made were for naught; but they also heard that the Township put all this money into the property for the purpose of preserving it. Mr. Zewe stated his property values are impacted if the Township accepts this bid for this sum of money for a five acre parcel. He stated he has slightly over one acre, and he paid \$115,000 for 1.12 acres and then had to build his house on top of this. He stated he does not feel it makes sense that the Township would approve the sale of this property for \$225,000 understanding that it is more than the five acres that was allotted in the original Agreement and that they are going to put other outbuildings on the property. He stated they are also taking farmland away from the people that are currently using it if they are going to put up additional buildings. Mr. Stainthorpe stated this is incorrect, and they will do it within the 5.19 acre footprint. Mr. Zewe stated the unfarmed parcel where the house is now is not five acres. Mr. Stainthorpe stated the parcel that was subdivided out was 5.19 acres. Mr. Zewe stated they are taking acreage that is currently tillable, and Mr. Stainthorpe stated this is incorrect. Mr. Benedetto stated the pasture that Dr. Bentz is proposing to have would be on farmland. Mr. McLaughlin stated this is not considered in the 5.19 acres. Mr. Benedetto stated Dr. Bentz would have to lease it, and Mr. McLaughlin stated they are under no obligation to lease this to Dr. Bentz.. Mr. Zewe asked the Board of Supervisors not to accept the bid.

Mr. Tom Jennings, 1030 Farmel Court, stated he has lived there seventeen years and the property backs up to 332 and Mirror Lake Road across from the green sign on the Patterson Farm. Mr. Jennings stated he feels what goes on at the Board meetings is a reflection of the Township generally. He stated he is glad that Dr. Bentz and her husband are interested in living in Lower Makefield Township and doing business here. He stated they elect the Board who appoints the staff, and he feels they generally do a good job. He stated they have gone through the process and there has been a fair amount of analysis with a lot of public comment offered over the years, and he suggested that the Board do their job, vote on this, and move on as there are other matters of business that the Township should consider. Mr. Jennings stated he would accept the bid. He stated he feels the use of the property is close enough to agricultural and is commendable and he feels it fits in with the spirit of what a farm should be doing. He stated he feels they need to look at the matter before them, and he feels that it is a great idea and hopes it happens.

Mr. John Torbert stated he has been farming for over thirty years and has been in the horse business for over thirty years. He stated he heard Dr. Bentz discuss the horse industry, but when the economy “tanked,” so did the horse business. He stated he has been struggling for the last eight years. He stated he owns a business on his father’s farm providing horse care and boarding across the street from the Patterson Farm. Mr. Torbert stated people cannot afford horses anymore. Mr. Torbert stated he has dealt with Mid-Atlantic, and Mr. Benedetto is correct and they are only approximately thirty-five minutes away with a truck and trailer. Mr. Torbert stated he has a vet who comes to his business, and he has had to put down horses. He stated the horse business is on a downward incline and will continue until the economy picks up. He stated people do not put money into the horses anymore.

Ms. Donna Doan, 1584 Edgewood Road, asked how many horses are allowed on a five acre parcel, but this was not known at this time. Ms. Doan asked how it is possible that a business could be run if there are restrictive covenants on how many horses could be on a parcel. Mr. Tyler stated this would be an issue for Dr. Bentz and her representative to work out with Zoning and Applications. Ms. Doan stated her family lived in the Satterthwaite House and came to the property in 1917 and remained there for several decades. She stated it is a double house, and it would be possible to have a residence on one side and office space on the other side if this is what they chose to do with it. She stated it is a lot of space, but as a single woman she would not have a problem occupying the house and it would not be too big. She stated she would welcome everyone to come and enjoy the property which is what she feels the residents of the Township should be able to do and not sell it to a private person who might close it off and not allow the use of the house as a house for a farmer.

Ms. Doan stated there was talk about preserving the character of the Farm, but she would rather preserve the farm as a working farm; and in order to do this, you do need houses where a farmer can live. She stated they need to make plans for the long term. She stated it was important for fifteen generations of farmers to pass this farm in a viable state to the next farmer. She stated people without agricultural experience do not realize that you need buildings and a house. She stated not all farming is done out in the fields.

Ms. Doan stated with regard to the stabilization of the barn that was done, she asked where the funds were received from; and Mr. Fedorchak stated the Township used money from their Capital Reserve Fund to cover that expense which was approximately \$235,000 for the construction and in addition there were other costs associated with this project including architectural consultation and a barn specialist who was consulted from the beginning so that they could do the re-construction work the right way. Ms. Doan asked if State Representative Santarsiero did not obtain funds for that project as well, and Mr. Fedorchak stated he did not, and the only money they received for the House was what he identified earlier this evening and these were two small Grants that the Township

staff made application for and received from the County from the Community Development Block Grant. He stated those were the only two Grants they received. Ms. Doan asked if the property is sold and there are changes made, is there a chance of re-capture on those funds; and Mr. Fedorchak stated there is not. He stated several years ago the Township owned a historic house that is currently an office located at the intersection of Stony Hill and Yardley-Langhorne Road. He stated when the Township owned by property they received Grants from the Community Development Block Grant Program to fix up certain aspects of the house; and when the Township sold the house, there was no recapture requirement at that time.

Ms. Doan asked why the Township has not pursued the historic registration of the Satterthwaite House even though it was eligible, and Mr. Fedorchak stated this matter was turned over to the Historic Commission so that question would be better presented to them.

Ms. Doan stated with regard to the Patterson Farm Cost Study Survey, she obtained all the receipts for the repairs that were done through the Freedom of Information Act and she made a spread sheet; and it is true that the cost for the replacement of the roof that was unusually expensive is something that would not happen fairly often. She stated the barn repair that was necessary is a big point of contention because there were people in the Township who warned the Board at that time that the barn was going to go down if there was not maintenance done. She stated those were two big expenses; but when you take out those expenses what you get is a monthly output of funds to maintain each of the components of the Farm. She stated the expenses noted take into account the oil and the utilities which she does not feel are maintenance expenses. She stated maintaining the Farm itself, the Township spent approximately \$900 a month, most of which were expenses for removal of trees. She stated for the Janney-Brown House, the Township spent \$500 a month, \$200 a month for the stone cottage, and \$500 a month for the Satterthwaite House. Ms. Doan stated she feels those are very small sums that could very easily be covered by market rate rent on the properties.

Ms. Doan stated she understands that preservation funds are limited, but stated the Township is spending tens of millions of dollars on the Golf Course that will never feed a single person. She stated the Township could be keeping a viable source of locally-grown food and are throwing that opportunity away. She stated the house leases at the Patterson Farm have brought in over \$100,000, and the farmland leases have brought in over \$271,000. She stated well in excess of \$480,000 was received for the property that was sold for the I-95 loop. Ms. Doan stated when her father and Mr. Patterson were farming, they never had these sums of money; but for fifty years they kept the farm maintained well. She stated prior to that her family maintained Satterthwaite through two World Wars and the Depression and never had to sell off a piece of it or allowed it to fall into disrepair. Ms. Doan stated she does feel they can debate whether or not the Township has been lax in maintenance.

Ms. Doan stated with regard to saving money for the construction of the new driveway, she questions why they would use millings from the street where cars and trucks have driven leaking fluids and put this next to a farm where crops are being grown.

Ms. Doan stated the Satterthwaite history is on her Website Patterson Farm preservation.com. She stated the Website also lays out the plan for preservation of the Farm using a community effort, Conservation Easement, Grants, and volunteerism. She stated they have an opportunity to come together as a community to save the House. She stated they have already had contractors who have offered to paint the House which would immediately fix up the appearance of the House. She stated it could be the showplace of the Patterson Farm as it was when they occupied the Farm.

Ms. Doan showed a picture of Mr. Patterson in the field and stated there was never a time in Mr. Patterson's life when he wanted the Township to take his Farm. She stated if the Township told Mr. Patterson that they would preserve the Farm, they should do the right thing and not divide up the Farm. She stated they should keep it in preservation for the production of food. She stated a medical facility for horses will not grow any crops.

Mr. John Bentz , 703 Long Acre Lane, stated he has been a resident for over twenty years. He stated he applauds the Board for the time and patience they have shown to the speakers, one of whom is not a resident of the Township. Mr. Bentz stated he is speaking on behalf of friends, family, and neighbors who live in Lower Makefield and support the Doctors bid which is the only viable option on the table to restore the Satterthwaite House and does so without raising taxes and even brings in revenue to the Township. Mr. Bentz stated we are in the midst of a terrible economic crisis and a well-thought out plan to restore old buildings at no cost to the Township should be viewed as a "miracle." Mr. Bentz stated the people he knows believe that the Township should spend money on things that provide intrinsic value to their families including paving roads, collecting leaves, installing automatic signals at the railroad crossings, refurbishing parks and playgrounds, supporting Police, Fire, and Paramedics, and keeping the Pool membership fees low. He stated any plan to put more of peoples' hard-earned money into old homes would not have support, and they should be grateful that the Doctors have come forward and agreed to take on the project. He asked that the Board move forward and approve the bid tonight.

Mr. Benedetto stated if Mr. Bentz was speaking of Donna Doan, she does live in the Township. Mr. Bentz stated she lives in Langhorne, and it is her father who lives on Edgewood Road and she claims his address incorrectly.

Ms. Edna Patterson Dilliplane, 1870 Patterson Lane, stated she has been a Township resident since 1951. She stated she has seen many changes in the Township as they grew from primarily a farming community to a residential community. She stated since the Township condemned the Patterson Farm, the property has deteriorated through lack of foresight and outright neglect. She stated funds designated for maintenance have been cut from the Budget and rental income disappeared into the General Fund. Ms. Dilliplane stated the Troilo Development was permitted to run its excess drain-off to the Patterson Farm. She stated a commercial greenhouse is also being built on prime farmland on the Patterson Farm. She stated there is now the possibility that a rare example of a Bucks County frame farmhouse which has been allowed to deteriorate by lack of maintenance, will be restored but overshadowed by large commercial buildings surrounded by blacktop. Ms. Dilliplane stated she strongly opposes this plan. She stated a large commercial project does not fit into this area. She stated they value the Farm for its beauty and history and they should preserve and care for what remains. Ms. Dilliplane stated when the Pattersons acquired the Satterthwaite portion, Mr. Patterson told her and her husband that he did not need any more land to farm and he only bought it to keep it from being developed. She stated the Board should honor their wishes by rejecting this bid.

Ms. Michelle Stambaugh, 1566 Woodside Road, stated she is a member of HARB; and they try to open up these historic homes up to the community to show them what treasures they are. She stated the Satterthwaite House is one of the “gems,” and it has a lot of historical integrity. She thanked the Doctors and Mr. Milnor for coming tonight, and she has the utmost respect for Mr. Milnor’s work. She stated an adaptive reuse of the facility would be great. She stated it would be nice to see horses, but she does not want to see the Farm carved up. Ms. Stambaugh stated this has been an issue throughout the community and could be taken to a vote. She stated she feels the Board should either put a strict Façade Easement on or they could delay the vote to make sure that they are not giving the Farm away which is what she feels. She stated she agrees that if there is enough interest in the community to create a Land Trust or some kind of preservation such as a non-profit to help preserve the home like what was done in Washington Crossing, she feels this should be explored. She stated she would never tear the House down. She stated it has gone into further disrepair. Ms. Stambaugh stated she believes the House dates back to 1720 not 1750. Ms. Stambaugh stated she loves seeing the farming community when she gets off of I-95, and she would like to see horses too.

Mr. Tristram Heinz, 532 Stony Hill Road, stated this is the third time he has appeared before the Board urging the Board not to accept this bid. He feels there are major problems with the bid. He stated they had an unfair bidding process and only a corporate entity could put together the type of funds that the bidders have done primarily because of the documents that the Township included in the Bid proposals. He urged the Board to hold off and not accept the Bid because it does not conform to the documents that were published. He stated they should put out a fair and open Bid without requiring a

\$500,000 bond which is “ridiculous” for anyone who actually wants to use the house as a residence. He stated he has advised the Board before that he knows of at least two parties that would pay up to \$300,000 for this five acre parcel with the house and the barn to use as a residential property; but they do not have a \$500,000 bond to put down. He stated this makes the Bid unfair. Mr. Heinz stated in addition, the actions subsequent to the submission of the Bid which did not conform to the original documents, was clearly unfair. He stated modifying the Bid documents after the fact through negotiation or whatever process they call it, was not a fair and open bidding process.

Mr. Heinz stated the Board has indicated that the Deed from the Pattersons did not in any way restrict the land; however, he feels this is open to interpretation and anyone who brings this to the attention of other authorities would have a very good argument that the Deed language does in fact restrict what they can do with the land. Mr. Heinz stated the land was purchased for the use of open space and not for the use of some commercial enterprise. He stated he applauds what the bidders want to do as far as restoring the house and the barn. He stated Mr. McLaughlin has indicated that this land should not be developed, and this is what he is arguing about. He stated they are arguing about the addition of another house on the property and the addition of a hospital facility on the property, parking lots, and lighting. He stated he understands that this will go before the Zoning Hearing Board, but he questions if the Zoning Hearing Board will rule against it after the Board of Supervisors has already approved the Bid. Mr. Heinz stated even if the Zoning Hearing Board does rule against the Application for a Variance, there is nothing to prevent the Applicants from taking the issue to County Court who could overrule the Zoning Hearing Board based on the fact that the Board of Supervisors had accepted the Bid with the expressed understanding that they would have an equine hospital on the property. Mr. Heinz stated the use they are proposing is a C-3 Use which is a high-impact Commercial Use. He stated if this business fails a subsequent person in the future could indicate that there was a C-3 use on the property, and they could propose having a lesser impact C-1 use which he feels the Zoning Hearing Board would then approve or if disapproved would get approved by the County Court.

Mr. Heinz stated he does not have a problem selling the property to a private individual who wants to fix up and use the House as a house provided it is a fair bid. He stated they have subdivided off 5.14 acres which puts them outside the restrictions and gets into the R-1 exceptions range. He stated the 5.1 acres is not the footprint of the House and the barns, and it extends well beyond the house and the barns and extends into the tillable land since the footprint of the House and barns is a little less than two acres. He stated even worse they are impacting the operation of the remainder of the Farm without any Plan.

Mr. Heinz stated a lot of money was spent by the Township on this property, but he feels this can be solved by thinking outside the box to solve this issue. He stated the Board should come up with a plan that does not violate their own principles as far as not developing the land and the area around the House. He stated as far as preserving the House, they should use community support as Ms. Doan and others have suggested.

Mr. Heinz stated the Board did not comply with the Stakeholders Report which recommended that the Board come up with an over-arching Plan for the entire Farm; and this has never been done nor has it been discussed which he finds to be “reprehensible.” Mr. Heinz stated the Board should reject the bid and offer it to a private individual or get community support.

Mr. Richard Preston, 1522 Stapler Drive, stated his home is on the curve with the sharp turn. Mr. Preston stated they have spent a lot of time discussing the House and repairs to the existing structures, but in the Plans he sees a Complex with a lot of new buildings and parking lots. Mr. Preston stated he would like to see an artist’s rendition of what the entire complex will look like to the residents in the area. Mr. Preston stated he is also concerned with the run-off issues because everything that comes off the Farm goes into his pond and down the creek. He is concerned with sick horses and a lot of new waste that is not there currently, and he would like to know how this will be handled. Mr. Stainthorpe stated a veterinary hospital would have to be licensed by the State, and there are very specific requirements for “manure management.” He stated this issue will have to be addressed which he believes is done at the State level.

Mr. Tom Conoscenti, 1595 Ginko Lane, stated he feels the issue tonight is really maintaining the integrity of the entire Farm and whether they are going to “cannibalize” the property or stop tonight and say this is a Farm they want to preserve in its entirety. Mr. Conoscenti stated they do respect the service of the Supervisors and acknowledge that the staff and professionals serve at the pleasure of the Board, and that the Board serves at the pleasure of the taxpayers and voters. Mr. Conoscenti stated he has done research and feels the vote tonight will be three to two because he has the written positions of three of the Supervisors. He stated Ms. Tyler has indicated that the Patterson Farm should be preserved as open space and the remainder of the property should be leased as farmland paying tribute to the Township’s farming history. He stated Mr. Dobson has indicated that he wanted to insure that the Farm stays as a Farm as the people of the Township intended when they voted to borrow money for open space in the 1990s. He stated Mr. Benedetto has stated it is imperative that the Farm be permanently protected and a sustainable resource. Mr. Conoscenti urged the Board to reject the Bid and not make the wrong decision for the right reason.

Mr. John Nadig, 890 Mirror Lake Road, stated he and his wife have lived there since 1980 in the stone house directly across from the Patterson Farm. Mr. Nadig stated they have spent all these years restoring that house; and when they bought the house they had very little money, but over the years they were able to restore it, and he feels the community is better for it. Mr. Nadig urged the Board to reject the Bid tonight; and if they are intent on selling the house, that they re-open the Bid with fewer restrictions. He stated if they do not need to move the leaves, they should maintain the right-of-way to get back there so they can still use the property for leaf disposal and stockpiling. He stated he also feels they should remain with the right-of-way through the property so that the farmer can get in and out in a safe way. He stated if they re-opened the Bid with fewer restrictions, it will attract people that are willing to live in the House and maintain it as a historical structure not unlike he and his wife did. Mr. Nadig noted the number of trees scarred on the curve. He stated he feels Patterson Lane is a very dangerous place for cars to pile up waiting for a turning lane at that location. Mr. Nadig stated he is not anxious to see a house being built in the middle of Patterson Farm. He stated the Artists of Yardley will be looking out onto the Farm and seeing a new structure which he cannot envision. He feels they should keep it Residential; and if they open the Bid, they will get more money. He stated it may take years for it to look “wonderful,” but it will then be in the same spirit that many of them are hoping for. He stated he would prefer that they not sell the property at all; however, if they are intent on doing this, he urged the Board to deny this Bid and re-open it recognizing that Dr. Bentz’ bid may still be the one that is successful. Mr. Nadig stated he is not anxious to see the bright lights from a big horse farm shining in the night.

Mr. Benedetto stated he has received over twenty e-mails opposed to the sale of the Satterthwaite House.

Ms. Helen Heinz stated this property was deemed eligible by Mr. Milnor’s previous firm to be on the National Register of Historic Places. She stated today she researched the rules for Second Class Townships and saw that they can condemn property; and one of the potential reasons they could condemn property, is if the property is deemed historic and was not in good condition. Ms. Heinz stated she wishes the Township would look into this in the future for some other houses in the Township. Ms. Heinz stated possibly someone could condemn the property from the Township for their keeping of the Farm. Ms. Heinz stated it is eligible for the National Register if it is part of the contiguous parcel. Ms. Heinz stated she has done National Register nominations; and she would love to do it for the Township, but she was told that it was Jeff Marshall’s job and when that was not done, she was told that they were going to “put it on hold for a while.” Ms. Heinz stated in order to do it, it has to be part of the original parcel. She stated if it is on five plus one acres, it will never be accepted because it has lost its prominence and would no longer be eligible.

Ms. Heinz stated Mr. Milnor was very clear tonight when he talked about rehabilitation, and there is a difference between rehabilitation and restoration according to the Department of the Interior Standards. Ms. Heinz stated rehabilitation means that you can put in windows that are energy efficient and bring the house up to current standards; and the House will be changed forever if they do not have the Department of Interior Standards on it. She urged the Board to re-write it so that it is on less than five acres, and then they would get the residents less agitated about the possibility of Commercial use. Ms. Heinz stated people do protect houses better than Townships. She stated she has told the Board from the beginning not to put the House on a piece that is over five acres because this triggers special exceptions and it can be Commercial. She stated this is not the right way to go. She urged the Board not to sell it and stated she knows that they can restore it. She asked that the Board consider their future political careers.

Mr. Stainthorpe stated they have had public discussion and the Board needs to make a decision, and he asked for a Motion to approve the sale of the Satterthwaite House. Mr. Garton stated if there is a Motion to approve the sale to the Doctors, it would have to be modified in accordance with their letter that would establish the Milnor Report as the criteria for future analysis of the improvements and would describe the improvements; but it would not include the issue about the reviews, Permits, and Approvals related to future development of the property.

Mr. Benedetto stated he already stated that the modification actually excludes the Bid so he wants to go on Record as saying this again that this is making this an “out of compliance bid/Approval” as it clearly states in the document that they cannot modify it and Mr. Garton just used the term “modify.”

Mr. McLaughlin moved and Mr. Dobson seconded to award the Bid of the Satterthwaite House to Dr. Amy Bentz and Dr. Brad Holmstein according to the letter submitted with the specifications of October 15 and the amendments that were set forth put into that letter.

Mr. Benedetto stated he will be talking to the DA about the comments around the Sunshine Act, and he feels they were violated.

Motion carried with Mr. Benedetto opposed.

Mr. Garton stated the Board met in Executive Session for approximately fifteen minutes prior to the meeting and discussed issues related to labor relations and health insurance offers.

GRANT EXTENSION OF TIME FOR HOCH PROPERTY

Mr. McLaughlin moved, Ms. Tyler seconded and it was unanimously carried to approve grant of Extension of time for the Hoch property Pre/Final Minor Subdivision/Lot Line change to 2/6/13.

SUPERVISORS REPORTS

Ms. Tyler invited everyone to the Seniors Boutique to be held this Sunday at the Township Building from 9:00 a.m. to 3 p.m.

AUTHORIZE TRI-STATE ENGINEERS TO DESIGN A PUMP STATION TO BE LOCATED NEAR DERBYSHIRE ROAD

Mr. Dobson stated a lot of money is paid to Falls, and they were considering diverting the Derbyshire area to Morrisville which is about 20% of the cost of what they are paying today. He stated the Sewer Authority put together a report showing that this could be done; and over a five-year period it would pay back what the costs would be. He stated this would take some of the flow that it going through Falls and the Neshaminy Interceptor taking it away from the Philadelphia area where the DEP is looking for areas that would help reduce the flows there. Mr. Dobson stated he feels this would help keep rates down.

Mr. Stainthorpe asked about the cost per gallon, and Mr. Dobson stated it is \$6.48 and by diverting this to Morrisville it would become \$1.70. Mr. Fedorchak stated they are talking about an annual savings in excess of \$300,000 a year. He stated on the high side, this project would cost approximately \$1.8 million and within six years by re-directing the flow, they would pay for the construction costs and then from that point on it is saving \$300,000 a year.

Mr. McLaughlin asked how the \$1.8 million would be funded, and Mr. Stainthorpe stated it will probably require a Bond; and Mr. Fedorchak stated tonight they are recommending that the Board engage Tri-State Engineers to do the hard engineering. He stated they have provided a cost of about \$127,000 for this, and this will be funded from the Sewer Capital Reserve Fund. He stated once they have provided the Board hard numbers, they will discuss how to fund this.

Mr. Dobson moved, Ms. Tyler seconded and it was unanimously carried to authorize Tri-State Engineers to design a pump station to be located near Derbyshire Road.

AWARD CONTRACTS FOR LEAF COLLECTION

Mr. Fedorchak stated Public Works went through the bidding process and three companies bid, and the recommendation is to award a Contract to all three as they will need to use all three companies when it gets busy.

Mr. McLaughlin asked how the rates compare to last year's rates, and Mr. Fedorchak stated he believes they are about the same. Mr. Benedetto asked about the size of the trucks as he recalls there were complaints about the size of the trucks being used making a lot of trips back and forth because they did not have a big capacity. Mr. Fedorchak stated if a company is not able to produce, they will not use them.

Ms. Tyler moved, Mr. Benedetto seconded and it was unanimously carried to award the Contracts for Leaf Collection as noted by the Manager.

There being no further business, Ms. Tyler moved, Mr. Dobson seconded and it was unanimously carried to adjourn the meeting at 10:50 p.m.

Respectfully Submitted,



Dobby Dobson, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS
Pete Stainthorpe, Chairman
Daniel McLaughlin, Vice-Chairman
Dobby Dobson, Secretary
Jeffrey Benedetto, Treasurer
Kristin Tyler, Supervisor

**AUGUST / SEPTEMBER 2012 WARRANT LIST AND
AUGUST 2012 PAYROLL COSTS FOR APPROVAL
SEPTEMBER 19, 2012 BOARD OF SUPERVISORS MEETING**

Accounts Payable Warrant Report:		
Printed Checks:		
10/01/12 Warrant List	\$ 902,004.03	
10/15/12 Warrant List	\$ 800,872.65	
Manual Checks:		
10/01/12 Warrant List	\$ 358,050.00	
10/15/12 Warrant List	\$ 112.33	
Total Warrant Reports		\$ 2,061,039.01
Payroll Costs:		
September 2012 Payroll	\$ 312,040.52	
September 2012 Payroll Taxes, etc.	\$ 130,419.32	
Total Payroll Costs		\$ 442,459.84
TOTAL TO BE APPROVED		\$ 2,503,498.85

