

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 19, 2007

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 19, 2007. Chairman Smith called the meeting to order at 7:30 p.m. Mr. Santarsiero called the roll.

Those present:

Board of Supervisors: Ron Smith, Chairman
 Greg Caiola, Vice Chairman
 Steve Santarsiero, Secretary/Treasurer
 Grace Godshalk, Supervisor
 Pete Stainthorpe, Supervisor

Others: Terry Fedorchak, Township Manager
 David Truelove, Township Solicitor
 James Majewski, Township Engineer
 Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Ms. Jean Bray, 12 Terracedale Road, stated the Farmers' Market which was originally scheduled to end in September will be extended into October. The last day will be October 11. Ms. Bray stated the Farmers' Market is going very well, and every week the farmers are happy with what they are selling and the customers are thrilled. She stated she feels next year will be even better. Mr. Smith thanked everyone for their work on the Farmers' Market.

Mr. Richard Johnson, 1220 Evergreen Road, stated that on May 2 the Board of Supervisors passed Ordinance #369 known as the Responsible Contractors Act requiring all bidders for construction contracts greater than \$75,000 to have an Apprenticeship Program for all trades working on a Township project. He stated he does not feel this was ever reported in the local press or analyzed for the general public. He stated he feels there is nothing new in the Act that was not already covered by existing Ordinances and legislation other than the requirement for all contractors to have an Apprenticeship Program for each trade that they employ on a project. He asked if the Board has any empirical evidence or unbiased studies which show that contractors with Apprentice Programs do better work than those without an Apprentice Program. He also asked over the past ten years how many irresponsible contractors has Lower Makefield employed. He also asked if the Board is aware of any non-Union contractor who could meet the requirements of the Act. He stated not even Union contractors could meet the requirements of the Act if they have drivers since they are tied into the Teamsters, and

the Teamsters do not have an Apprentice Program. He asked if the Board is aware that many non-Union contractors have Apprentice Programs but are disqualified because they have not graduated an Apprentice within the last three years. He stated all of their employees may have higher skill levels because they have advanced from Apprentice to Skilled Craftsman. He asked if the Board is aware that all of the people attending trade courses at technical schools and Universities to gain trade skills still have to go through a Union Apprentice Program in order to work on a Township project. Mr. Johnson stated he has reviewed the contributions to the campaigns of those Board members who voted for this Act, and the biggest contributors to their campaigns were Labor Union PACs or the Democratic County organization whose largest contributors are Union PACs. Mr. Johnson questions if the public was aware that this kind of Act raises the cost of labor on projects 20% to 40% over open shop projects and asked if any financial analysis was done before the Board passed this.

Mr. George Schott, 652 Leslie Lane, asked that Mr. Majewski report on the CSX meeting. Mr. Majewski stated they have a meeting scheduled with CSX and Railroad Controls Limited on October 5. There will be a demonstration of the way-side horns that morning as well, and everyone is invited. He will provide more information on this once he receives it. He feels they will most likely start the demonstration at 8:30 a.m. probably at the Edgewood Road crossing. Mr. Schott stated before he heard this tonight, the perception of the hundreds of people impacted by this is that very little had been done by the Township on this issue. He stated while the Board of Supervisors has done a lot of wonderful things, much of this is being tarnished by the fact that it appears that they have put this issue on the "back burner." Mr. Schott asked if they have heard back from the FRA on the intent to file in May noting they were to get back to the Township in sixty days, and Mr. Majewski stated they have not. Mr. Truelove stated he now subscribes to the FRA on-line service, and Lower Makefield is listed as one of the sites where this is being considered. Mr. Schott stated he is still concerned that a year after this issue was raised, they are barely in a position to gather the information needed to make a decision. He stated this issue impacts thousands of residents, and he asked that the Board increase their sense or urgency with regard to this matter.

Mr. Caiola stated they have been working on this matter. He stated at a local level, the Board is able to do things quicker; but when you involve the Federal Government, it does take longer. He stated they were going to look at some way-side horns at a location in New Jersey, but learned that the horns were no longer there. Mr. Smith stated the Board of Supervisors has received numerous e-mails regarding the Quiet Train Zones and while most were in favor, there were a number which expressed concern with the cost and some which indicated the people who live near the train tracks knew they were there when they purchased their homes. He stated he feels we are all one Township and issues need to be addressed as one Township.

Mr. Schott stated the problem with the horns is the frequency of the trains going through the Township which has increased significantly over the years.

Mr. Santarsiero stated he feels they could put a status report on this issue on the Website and also send out a letter to the people in the impacted neighborhoods. Mr. Schott stated Mr. Fedorchak has been very good about sending letters inviting people to the Township.

Mr. Bernie Goldberg, 1304 University Drive, stated the cable boxes continue to exist in Sandy Run II. He noted a number of locations where huge boxes have been placed. He stated he does not understand why this equipment cannot be underground. He stated Ms. Frick has worked very hard on this issue, but the boxes are still there. He stated a number of people have called Comcast and were advised that they can build them in the right-of-way. Mr. Goldberg stated this is incorrect for Lower Makefield as there are Ordinances which prevent this.

Mr. Truelove stated Ms. Frick and others in the Township have been actively addressing this. He stated he sent an e-mail to Comcast threatening the possibility of Cease and Desist. He stated the Township is not in a position to have the boxes removed at this point; but they are mandating that Comcast submit Applications for every box that was put up and also for those that are proposed. He stated the Township received an e-mail from the local representative of Comcast which Mr. Truelove read into the record (attached to the Minutes.) Mr. Truelove stated the Township will make sure that they are following the Permitting requirements; and if Variances are needed, they will be required to go before the Zoning Hearing Board, and the public could then make comments to the Zoning Hearing Board.

Mr. Goldberg stated Verizon just did a mammoth upgrade and did it all with underground vaults. Mr. Goldberg stated Comcast puts in anything they want with no respect to the neighborhood.

Mr. Simon Campbell, Lower Makefield, stated approximately half an hour ago, Mr. Jason Simon, Lower Makefield Democratic Chairman, advised a friend of Mr. Campbell's that Mr. Campbell should be told he is not welcome to speak at Public Comment this evening. Mr. Smith stated Mr. Campbell is welcome to come to public meetings and they look forward to hearing from him. He suggested that Mr. Campbell discuss this matter with Mr. Simon. Mr. Campbell stated there has been some concern with the question of political materials being made available in the Tax Collector's Office and asked if the Board was aware that Ethan Shiller's material was in the Tax Collector's Office. Mr. Caiola stated when Mr. Campbell made them aware of this, they had it removed immediately. Mr. Campbell stated he feels they should recognize that this was an ethical problem using a public office to support any kind of political campaign, and Mr. Smith stated once they were advised of this, they had it removed. Mr. Caiola stated it has never been the practice of anyone on the Board to his knowledge to ask anyone to

hand out literature on anyone's behalf. Mr. Santarsiero stated it has never been the practice of the current Board since they have had a Democratic majority; but in 2002 a previous Tax Collector did have political material there and a previous Solicitor for the Township gave the opinion that this was not an ethical violation; however, the current Solicitor and those on the current Board do not agree which is why they asked that the materials be removed.

Mr. Campbell stated his concern is that Mr. Smith and Mr. Caiola have openly and publicly endorsed Ethan Shiller; and Mr. Smith stated he has endorsed him and feels he will be a great School Board member. Mr. Campbell noted the previous discussion regarding Union Contracts and the possible Union connections to some of the Supervisors; and he asked Mr. Santarsiero if he is a member of the Teachers' Union. Mr. Santarsiero stated he is a proud member. Mr. Campbell asked if he realizes that when you are a full member you are paying for politics and lobbying and a non member only plays for collective bargaining. Mr. Santarsiero stated he is aware of this. Mr. Santarsiero stated Mr. Campbell does have First Amendment rights and added he has read Mr. Campbell's writings previously and he obviously does not like Unions which is his right. Mr. Santarsiero stated he does not feel this is the proper forum to have a debate about Unions but as a teacher, he is a member of the PSEA and the local Union in Bensalem Township.

Mr. Campbell asked if there is any chance in 2009 that there could be a Resolution passed to stop subsidizing the Tax Collector's office with free office space. Mr. Fedorchak stated the Township pays the Tax Collector a rate of \$1.15 per bill, the School District pays the Tax Collector \$3.00 per bill, and the County pays the Tax Collector \$6.30 per bill for the first thousand, \$3.25 for the next 4,000, and after that \$2.35 per bill. He stated the County and the School District pay more than twice what Lower Makefield Township pays. He stated this was a factor in the decision of previous Board to consider providing the Tax Collector with free office space. Mr. Campbell stated he feels it is one thing to pay taxes for services and another to pay taxes for the Tax Collector to enhance her profit. He asked if they would be open to the idea of no longer subsidizing the Tax Collector with free office space in 2009. Mr. Smith stated they are open to considering all ideas. He stated the Tax Collector is an independent office which is currently in the Township Building. He stated most people do not know that the Tax Collector's Office is an independent office not connected with the Township in any way. Mr. Smith stated prior Township Boards put the Tax Collector's Office in the Township Building as a convenience to the taxpayers so they would not have to look to find the Tax Collector. He stated the Tax Collector gets a significant amount of walk-in traffic by people coming in to pay their taxes. He stated this is particularly a convenience for the Senior Citizens. Mr. Smith asked Mrs. Godshalk to comment on what occurred in 2001.

Mrs. Godshalk stated she recalls the issue of giving the Tax Collector space has never really come up although her salary to be paid by the Township pays her per bill does

come up before the Tax Collector takes office. She stated the Tax Collector has always been in the Township Building other than during the term of one Tax Collector in the past forty years who worked it out of his home. She stated the Township had the space and many people came in wanting to pay their taxes and often the Tax Collector has to look up parcels and work with the Building Department for issues regarding the taxes. She stated people also come in with cash so it is good that the Tax Office is located near the Police Department. Mrs. Godshalk stated she agrees that the Tax Collector should not be giving out political literature for any party and no one has ever given it out for her all the years she has been involved with the Township. Mrs. Godshalk stated years ago she brought up the issue of the Building Inspectors. She stated an outside firm is used and the Township was not receiving any rent from them, and she asked that they be required to pay, and the Building Inspectors now pay rent to the Township.

Mr. Campbell stated he does not have a problem with the Tax Collector having an Office at the Township, but feels she should pay rent. He stated he agrees that the School Board should only be paying \$1.15 per bill which is the same as the Township, and there is no reason for the School Board to pay more than the Township. He stated he will raise this with the School Board.

Mr. Santarsiero stated the earliest they could act on the issue of charging the Tax Collector rent would be in 2009; and he feels they would be willing to consider this.

Mr. Campbell asked if Mr. Santarsiero endorses Ethan Shiller as well, and Mr. Santarsiero stated he does and feels he will do a good job on the School Board; and from what he has seen on that Board, he feels there needs to be a voice of opposition and change. Mr. Santarsiero stated he and Mr. Smith were before the Pennsbury School Board because of the re-Districting issue over which many of the families of Lower Makefield were upset because they felt they had not been included in the process; and Mr. Santarsiero stated there were time limits on how long they could speak and he advised Mr. Johnson at that meeting that if he ever came before the Lower Makefield Board of Supervisors, he would be treated with more courtesy than they were that evening and he feels he has been so treated this evening as has Mr. Campbell. Mr. Santarsiero stated even when they do not agree with the comments, he feels there are First Amendment Rights and part of the process is to allow give and take between the public and the Board.

Mr. Campbell stated while he appreciates Mr. Santarsiero's desire to support Mr. Shiller, he feels the fact that Mr. Shiller's wife is a Union member and a Building Rep in the District is a massive conflict of interest particularly after the Teacher's strike and this has a lot of people very upset.

Mr. Smith asked Ms. Becky Cecchine to speak at this time. Ms. Cecchine stated before she put the out the literature noted, she did consider what she was doing. She stated she

deals with a lot of people every day and she hears what they have to say. She stated she tries to go to School Board meetings to hear what they have to say as well. Ms Cecchine stated on June 21 she attended the School Board meeting where they had hurriedly passed the Budget because one of the Board members was ill. She stated during Public Comment she expressed her concern that people were asking at every meeting for a detailed Budget. She also asked if the Board members see a detailed Budget, and the President stated they do not see it, and Board member Richard Johnson stated they did not want to see it. Ms. Cecchine stated she also asked Mrs. Gordon, Mr. Dolnick, and Mrs. Palsky but they did not respond. She stated she also stated that she was appalled as a resident and as a Tax Collector that the School Board members did not want to see the Budget. Ms. Cecchine described a number of incidents where she felt senior citizens were not treated properly by the School Board.

Mr. Smith asked if Ms. Cecchine is a Republican Official, and she stated she is. She stated she is supporting Ethan Shiller. Mr. Smith asked if it was not correct that until recently Mr. Shiller was a Republican and is now a Democrat, and Ms. Cecchine agreed. Mr. Smith asked if she had literature for Ethan Shiller in her office, and Ms. Cecchine stated she did. Ms. Cecchine stated she was asked to remove it, and she did so. Mr. Smith asked if this was the first time she was asked to give out political literature or information; and Ms. Cecchine stated it is not. She stated Mr. Simon Campbell had asked her to hand out his Excel Calculator to calculate the Act 1 taxes for people previous to the Primary Election. She stated he sent her an e-mail with the calculator and she did print it out and gave to people and helped them fill it out. Mr. Smith stated it appears that Mr. Campbell came to the meeting this evening to complain about the literature which Ms. Cecchine removed after Mr. Fedorchak asked her about it; however, the same Mr. Campbell had asked her before the Primary to hand out Act 1 literature. Ms. Cecchine stated he sent her an e-mail advising her to use the calculator, and she did print it out and put in on the counter.

Ms. Helen Bosley, 546 Palmer Farm Drive, stated she feels it is unusual during Public Comment for the Supervisor Chairman to call someone up from the audience and go ahead of someone in line to speak, and to question that individual in a manner that Ms. Bosley feels is completely inappropriate. Ms. Bosley noted that Fox 29 had a camera in the public meeting room at some point this evening. She asked why they were present and if this requires a Permit. Mr. Smith stated Fox 29 and other channels have traditionally over the years brought their cameras in when there is, what they believe to be, a newsworthy issue. He stated he believes they were present this evening regarding the issue of deer management, and they wanted to get some background information before that issue was discussed. Mr. Smith stated the Board was not advised of this until they learned that they were present in the building. He stated to his knowledge, they are not required to obtain a Permit to televise. Ms. Bosley asked if anyone could come in and record anything. Mr. Smith stated it is his understanding that the Township grants

access to any of the media access including newspaper and television. He stated if a resident wanted to come in with a camera and videotape the meetings, they could do so.

Mr. Zachary Rubin, 1661 Covington Road, stated he is a member of the Philadelphia Federation of Teachers and stated everyone in the Country has the right of free speech. He stated Mr. Campbell might not be aware that in 1948 the Taft-Hartley Act outlawed closed shop. He stated no teacher in the United States must join a Union for employment. He stated if a teacher opts into a Union in the Commonwealth of Pennsylvania, no teacher can have their dues compulsory and mandatory support a partisan political candidate or issue. Any Union member in Pennsylvania may take their share of dues and opt it out of the Political Action Committee of any Teacher's Union.

Mr. Smith stated normally they try not to make Public Comment a debate, but he recognizes that Mr. Campbell has things he would like to rebut.

Mr. Campbell stated he is horrified that Mr. Smith is trying to instigate and cast aspirations on his character regarding a tax calculator as this was not a political issue supporting or opposing a candidate. He stated it was a tax calculator that he, as a private resident along with other taxpayers, created so people could figure out Act 1. He stated he and Ms. Cecchine had a discussion about it. He stated when Mr. Smith stated to Ms. Cecchine, "Simon Campbell asked you to put political material in the Tax Office," this was a lie. He also asked what any of Mr. Rubin's comments have to do with how Lower Makefield Township is run and questioned why he was permitted to use this forum to state his political views.

Mr. Smith stated he recognizes that Mr. Campbell is not a citizen, but is a permanent resident, and does not understand perhaps some of the aspects of Free Speech. Mr. Campbell stated he does understand Free Speech. Mr. Smith stated Public Comment is an opportunity for people to comment. He stated Mr. Campbell came up tonight with a political agenda against the Teachers' Union and Ethan Shiller and against the Republican Tax Collector supporting a Democratic Candidate. Mr. Smith stated everyone in the room knows what Mr. Campbell's Agenda is. Mr. Smith stated some of Mr. Campbell's comments were well taken, but he does not feel he should come with his hypocrisy which is quite evident to everyone. Mr. Campbell took exception to Mr. Smith attacking him. Mr. Campbell stated the Tax Collector admitted that Ethan Shiller's political material was in her Office, and he asked that someone ask her how long it was there and who asked her to take it out. Mr. Cecchine stated she feels it was there for one and a half weeks.

Mr. Jason Simon, 514 South Ridge Circle, Chairman of the Democratic Club, stated he did not indicate that Mr. Campbell should not come to the meeting and exercise his right to speak; but was afraid that Mr. Campbell was going to come and exercise a political agenda based upon an e-mail that he and the Democratic Supervisors received from

Mr. Campbell that basically bullied them and attempted to make an issue out of the political announcements that were being held in the Tax Collector's office. He feels there was a political agenda brought in tonight on this issue. He stated that he would deny anyone access to the Board of Supervisors for information is ridiculous. He stated the Board is very open and they are currently being seen across the Township on television; and he feels it is clear that this whole issue is political as it is about the political campaign literature. He stated they welcome debate on any issue at any time in their Party and welcome open dialogue. He stated they are pro-workers, pro-Union, and pro-teachers. He stated the literature was removed from the Tax Office, and he questions what other action they were supposed to take. He feels any further discussion of this is a waste of time. He stated if necessary, he could produce the e-mail he received from Mr. Campbell and will post it on one of their Websites.

Ms. Sue Herman stated Mr. Cecchine may have made an error in judgment; but it is clear she is a good person and bends over backward to help the Seniors of the Township and others in need. Ms. Herman noted her own involvement in traffic issues where she has been instrumental in getting traffic calming for Lindenhurst Road. She stated Ms. Cecchine called her today because she felt Ms. Herman would want to know a neighbor on Lindenhurst Road was in trouble and PennDOT was going to take down part of her fence and encroach on her pool and that possibly Ms. Herman could help this neighbor. Ms. Herman stated Ms. Cecchine volunteers her time at the Farmers' Market and spreads good cheer. She has admitted her error and corrected the problem.

Ms. Helen Heinz stated she is concerned with historic preservation in Lower Makefield. She stated there was a Historic Commission meeting earlier this week which she left upset as she was told by the Township Manager that there was nothing the Township could do about historic preservation, and that some of the buildings they have treasured for many years that are in danger of being demolished will continue in this way because the Township does not have any police authority to go on properties to look at structures, and can do nothing about neglect and demolition. She stated she drove by Wilshire Glen, which is on the Agenda this evening, and saw that the Raab House is totally demolished. She stated this was an 18th Century Yardley House, and to her knowledge, and according to Mr. Fedorchak at the Historic Commission meeting, was still under litigation in County Court. She stated it was part of the Development Agreement for Wilshire Glen that the house be preserved, but this is now a moot point. She stated since the Township does not seem to have any "teeth" in enforcing anything, she questions what they will do about this. She stated Boxwood Farm is sitting up on pilings and looks like a travesty. She is also concerned about three houses in Edgewood Village owned by Mr. Messick, one of which has already been demolished, and the other two which are in disgraceful condition. She stated there is a tree coming through the foundation of the 1798 free slave, Ishmael's, house. She stated Mr. Troilo has asked to move three of the other historic houses; and she feels they should give up on the whole idea of historic preservation.

Mr. Fedorchak stated he feels he was misunderstood. He stated there are certain limitations the Township has absent an enabling piece of Legislation that allow the Township to go onto private property. Ms. Heinz asked if they do not have any police or inspection action; and Mr. Fedorchak stated he feels the Solicitor should respond to this. Mr. Fedorchak stated although they have been, and will continue to be very aggressive about historic preservation, they do have limitations.

Ms. Heinz stated the Erlich property at Scammel's Corner was the specific issue of concern. Mr. Truelove stated while he cannot speak to that particular property, Mr. Fedorchak did ask him to come to the next Historic Commission meeting to discuss what can be done. He stated the Raab house was subject to a BOCA Appeals Board Hearing in January, 2006 which was the first week he was Township solicitor. He stated they had a Hearing, and they vigorously argued to the Board to preserve the House, but unfortunately there was Case Law with that particular type of preservation language on the Plan which did not allow them to enforce preservation. He stated his Office was charged by Mr. Fedorchak to consider a Demolition by Neglect Ordinance to see if this would be feasible, and they are working on this now. He stated the difficulty they are finding is whether or not Pennsylvania Legislation gives the Township the police power to go in and do the work if the property owner does not do what is appropriate to preserve the property; and then for the Township to seek reimbursement from the owner. He stated they are not convinced that Pennsylvania Law will allow them to do this. He stated the Township also needs to consider the cost of this since the Township would have to pay for this up front and have funds available to do this on a property-by-property basis. He stated the Township is listening to her concerns.

Mrs. Godshalk stated they have gone onto private property in the past where homes were not being maintained on at least two occasions that she is aware of this; although these were not historic homes. She stated the house in Edgewood Village which is one of the oldest homes in Lower Makefield is being undermined by a tree which is in the State setback; and she asked three months ago that the Township take the tree down. She stated she asked about this in private with the Township Administration, and nothing was done. She stated she has been involved in historic preservation over the years, and the Township would work with developers in the very early stages; and previously homes would disappear overnight and there were no Ordinances to protect this. She stated the Township does now recognize the importance of this, and the Historic Commission receives a copy of every Plan; and they have worked with developers for twenty years trying to save the homes, and there are beautiful examples where they have been able to do so. She stated she feels they need to be interested in this because these homes are our heritage.

Ms. Heinz asked if the homeowner who took down the house will now be able to use the lot as a home site. She asked if a Permit was obtained to take it down. She stated the Historic Commission was not informed of this, and Mrs. Godshalk stated she was not

informed either. Ms. Heinz stated they would have suggested that most of the house be recycled. She stated Mr. Messick took down the house in Edgewood Village with their consent with the promise that it would be re-built within a year, and that has not yet happened.

Mr. Smith stated the Patterson Stakeholders were present at the last Supervisors' meeting and came in with a report on what to do with the property and the historic structures which are on the property. He stated many options were given as to what should be done with the houses. He stated he believes the Board of Supervisors is receptive to preservation of historic structures. He stated they do have an Ordinance Review Committee which should be reporting to the Board of Supervisors shortly. He stated one of the issues is that many of the Ordinances they have, have no "teeth" in them; and hopefully, they will be able to correct some of these including the issues Ms. Heinz has brought up. He stated they must also consider the cost to the Township to preserve property noting some taxpayers may question utilizing tax dollars to preserve property.

Ms. Heinz stated she would suggest that they have an Ordinance with "teeth" for historic preservation, and use the funds generated from this to preserve some of the other houses. Mr. Smith stated they are looking for more enforcement provisions not only in new Ordinances, but in the ones they already have and will consider historic preservation as well. Ms. Heinz stated the penalty for taking down a structure without Permit is \$500 which is less than the cost to go to the Zoning Hearing Board.

Mrs. Godshalk stated they do not need an Ordinance to take down a tree in a State right-of-way. Mr. Smith asked that Mr. Fedorchak look into this.

Mr. Truelove stated with regard to the Boxwood Farm house, the developer had to pay a \$1 million Bond to move that house. He stated he feels the reason it is sitting where it is now is because the Township told the developer they could not do any more work on the property or get any more Permits until certain other conditions were met.

Mr. Smith stated it seems that when they are reviewing the Township Ordinances, they should determine if they have enough "teeth" to go in not only when public safety is threatened but also where damage is being done. Mr. Truelove stated the existing choices are following the Ordinances and procedures available, or if public safety is implicated, go for injunctive relief. He stated the way the Ordinances are drafted, they are not given the area in between. He stated at the Board's direction, his office would look into this to see if amendments are needed.

Mr. Sam Spera, 705 Tomlinson Lane, stated he is Chairman of the Board of Auditors and he has noticed an anomaly in the Budget; and he would like to know what he would need to do to get the engineering and legal bills for the last three years. Mr. Smith stated he feels he should contact the Township Finance Director or Township Manager.

Mr. Spera asked Mr. Truelove if he is working for Mr. Santarsiero on his campaign writing position papers on his Website. Mr. Truelove stated he is not writing position papers for Mr. Santarsiero. Mr. Santarsiero stated a number of lawyers in the County signed onto a letter that was published in the Courier Times although he is not sure Mr. Truelove was one of them. He stated the issue was whether or not the President Judge of the Bucks County Courts could agree to have certain Court proceedings take place outside of Doylestown. He stated the reason they had raised this in the campaign was because there is a proposal to build a \$100 million Court House; and he and his running mate, Diane Marseglia of Middletown, are of the view that this project should be re-examined as they are concerned that the costs for this project could become a \$200 million project; and after paying off the Bond, it could be \$400 million dollars for the taxpayers of Bucks County. He stated they are looking into whether there could be in existing District Justice Courtrooms throughout Bucks County remote proceedings take place which would lessen the need for such a large building in Doylestown and save the taxpayers money. He stated the President Judge took one position, and Mr. Santarsiero stated their legal experts took another; and Mr. Truelove may have been one of the lawyers who signed onto that paper.

Mr. Truelove stated when Mr. Spera referred to “position paper,” he was not sure what he was referring to. Mr. Spera stated that is a “position;” and Mr. Santarsiero stated it is a position intended ultimately to save the taxpayers money. Mr. Spera stated it is still a position being taken by a Township employee; and Mr. Santarsiero disagreed noting that Mr. Truelove did not do this in his capacity as a Solicitor for Lower Makefield Township nor was the Township in any way billed for that. He stated this was Mr. Truelove’s personal view as a citizen of the County and a lawyer which is appropriate. Mr. Spera stated he disagrees.

Ms. Lisa Shiller, 367 Lang Court, stated she is a Pennsbury teacher and a member of the Union. She stated Mr. Campbell mentioned her name and called her a Union Rep and continues to call her this on his Website and his e-mails. She stated this term is not a term used in Pennsbury, and she stated she is not a Union Rep and there is no truth to his accusations.

Mr. Patrick Frain, 16 Delaware Rive Drive, stated he is a Union member of the Brotherhood of Locomotive Engineers and Trainmen for twenty-three years. He stated he is a Democrat and noted the current Board of Supervisors’ make-up has only been in effect for one year and ten months, and he feels in that time they have done a fabulous job. He stated he feels everyone present is trying to do their best.

APPROVAL OF MINUTES

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve the Minutes of September 5, 2007 as written. Mrs. Godshalk was not present for the vote.

APPROVAL OF SEPTEMBER 4, AND SEPTEMBER 17, 2007 WARRANT LISTS AND AUGUST, 2007 PAYROLL

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve the September 4, and September 17, 2007 Warrant Lists and August, 2007 as attached to the Minutes. Mrs. Godshalk was not present for the vote.

APPROVAL OF YMS/MACCLESFIELD LEASE

Mr. Roger Deininger, 430 Hidden Oaks Drive, Mr. John Ehret, and Mr. Steve Pastor, attorney, representing YMS were present. Mr. Truelove stated he has been communicating with Mr. Pastor, and the Lease is ready for approval this evening. He stated it does require YMS to have the financial wherewithal to proceed with construction of this project.

Mr. Truelove noted Section 1.05 Sub Section A– Use of Leased Premises; and stated the Board of Supervisors asked if it would be a problem if the words “fundraising” were removed from the sentence and instead it would state, “No event shall violate any applicable Law, Ordinance, Regulation, or any Permit issue by LMT;” and Mr. Pastor stated this was acceptable.

Mr. Truelove noted Section 4.01 on Page 3 regarding the field fence where it indicates that YMS shall have “the right, but not the obligation” to install a fence, and stated the Board felt it was their intention to install it. Mr. Pastor stated the purpose of the clause as written was to allow them the opportunity to determine the proper fence that should be installed for the safety of the people at Macclesfield. He stated they fully intend to erect a fence although it will not be installed immediately as it may take a short period of time to design it properly.

Mr. Stainthorpe asked if their financing is in place, and Mr. Deininger stated it is and some of it was consummated this morning with Wachovia, a local bank, noting the local branch was very instrumental in making this project happen.

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to approve the Lease Agreement as presented with the changes discussed by Mr. Truelove and authorizing the Township Manager to sign the Lease on behalf of the Board.

Mr. Smith asked that the Board of Supervisors be invited to attend the ribbon-cutting; and Mr. Deininger agreed. Mr. Deininger thanked Mr. Truelove, Mr. Fedorchak, and Mr. Majewski for all their efforts in making this happen.

Mr. Smith asked if Mr. Pastor would like to discuss the fundraising he does at Thanksgiving. Mr. Pastor stated for several years his family and others in the area have raised funds for a food distribution at Thanksgiving through Sacred Heart Church in Trenton. Over the past several years, they have donated over 1500 turkeys to distribute in the Trenton area. He stated he anticipates a delivery of over 600 turkeys this year to food banks in Trenton; and he will come to the Board of Supervisors to ask if there are any funds available as a charitable contribution for this project. Mr. Smith stated he understands he also needs volunteers, and Mr. Pastor agreed.

AARK FOUNDATION PRESENTATION

Ms. Mary Jane Stretch, Executive Director, and Leah Stallings, Assistant Director, were present with Ms. Virginia Torbert, member of the Patterson Farm Stakeholders Committee. Ms. Torbert stated in their final report, the Committee recommended that the Township consider a long-term Lease option for the main Patterson Farm homestead and the Farm buildings, and that priority be given to tenants providing added public benefits such as the Aark. She stated Aark representatives will briefly describe what they do and what they would require in terms of facilities. Ms. Torbert stated the more she has learned about the Aark and those working there, the more convinced she is that bringing the Aark to the Patterson Farm, will be a great idea for the Aark, the Patterson Farm, and the Township. She stated it will bring a resident family full-time to the Farm as well as a variety of animals. It will give many of the buildings useful functions and needed repairs and provide a useful public service as well as public education. She stated based on their current operation, she feels they can do this in harmony with the current farm environment.

Ms. Stallings stated the Aark Wildlife Rehabilitation and Education Center is a 501C3 organization registered with the State of Pennsylvania and the IRS as a non-profit organization. They are a wildlife rehabilitation center which means they take in orphaned and injured animals, rehabilitate them, and release them. They provide a needed public service. She stated the second part of their mission is education, and they conduct hundreds of programs all over the area educating residents about the wildlife around them, how to live in harmony with them, and some of the challenges they have in wildlife rehabilitation. She stated they also talk to people about what to do if they come across an

animal. She stated sometimes an animal cannot be rehabilitated fully, and that animal would have to stay at the facility. She stated at any given time they have ten to fifteen resident animals that are not able to be released, and Ms. Stretch showed one of their current residents animals – a raven which was confiscated noting that the Aark assists the Federal and local Government when they have a situation where someone is keeping an animal which is inappropriate in their home. She noted the raven is missing his right wing, and the Aark received special permission from the Federal Government to keep him in captivity.

Ms. Stallings stated the Aark has lost their current Lease for the property they have resided in for the last 32 years. She stated they have not yet been able to find the perfect home. She stated she feels they would be a good fit for the Patterson Farm because it is a very similar situation to what they have now. She stated they currently reside on a 250 acre tract at All Saints Cemetery, and they occupy approximately 5 acres of the site. She stated they have a home and some outbuildings which they have maintained for the past 32 years. She stated they also have a resident farmer who farms the land around them. She stated this represents a good buffer for the animals. She stated to treat wildlife they need to have a situation that is private for the animals that are recovering noting it is important that they look out upon a view such as a field or trees as opposed to looking at other animals or human beings.

Ms. Stallings stated they do conduct Tours to raise funds; but on the Tour they do not generally include wild patients that are recovering unless it is appropriate to do so. She stated most of the Tours include animals that are their resident animals that are accustomed to people and are already being used in an educational way. She stated having the farm around them allows them to tuck in cages and build flight pens as well as have designated areas where only certain people can go which keeps it private for the animals. She stated they recognize that the Township wants to allow their residents to use the Farm as well; and she stated they can offer public programs with the Township. She stated they would like to expand their education department and go into the Schools more and into the community so that they are much more present in the community. She stated they have one Open House a year currently which brings in approximately 1,100 people and raises approximately \$10,000 and possibly they could have two of these events per year. She stated they are also looking to expand their summer camp program noting that many of the campers already come from Lower Makefield. She stated they would like to expand this camp from three weeks to six weeks.

Mr. Smith stated he did discuss this proposal with Ms. Torbert and stated it is his understanding that there may be money available to help at least preserve the Patterson Farm structures, and Ms. Stallings stated this correct. Mr. Smith asked when they would need a decision to be made by the Board. Ms. Stallings stated they have been looking for a location for two years, and they are down to a month-to-month Lease. Mr. Smith stated the Patterson Farm Stakeholders Committee is very much in support of this proposal.

Mr. Santarsiero stated he assumes they are discussing the Patterson House and that group of buildings, and asked what they would need. Ms. Stallings stated they would need a house to live in. She stated she has looked at all the buildings, and noted there is a Carriage House on the grounds which she feels someone is currently renting; and while she did not go in the building, they felt it would good for their clinic. She stated there is also a garage with paneling on the inside, and she feels this would be good as the education room which would be used for camp, etc. She stated there is also a large cinderblock building which is approximately 100 feet long and they could use this for Stage II Rehabilitation when the animals no longer need to be in the house. She stated she feels they could share the barn with the farmer as she would not need the entire barn. She stated there is also a large shed with three bays which they would not need.

Mr. Santarsiero stated he recognizes their time constraints but noted the Township is in the process of working with the Stakeholders Committee to determine what to do with the entire Farm; and he feels there is a general sense that the tillable acreage should continue to be tilled as farmland. He stated the issue is if they would agree to permit the Aark to use the buildings, they must make sure that is consistent with whatever else happens with the rest of the Farm.

Mr. Caiola asked how many animals could they handle at one time; and Ms. Stallings stated during “baby” season, she can have hundreds, although they are in small buckets. Ms. Stallings stated she feels they could co-habit very nicely and most of the land that is currently being tilled could continue to be tilled. She stated they would have to build three 100’ flight pens.

Mr. Smith stated he feels Mr. and Mrs. Patterson would be in favor of this proposal for their property, and he would like to see this get done as soon as possible. Mr. Santarsiero agreed this would be a great use for Patterson Farm but feels they need to have a better understanding of what they will need and how it fits in to the existing space. Mr. Smith stated this use would also address the interest in having an educational use for the property. Mr. Santarsiero stated he feels this would be a unique asset for the Township and add to the many unique assets currently in Lower Makefield.

Ms. Torbert stated there are nineteen structures on the Farm, and some of the structures are currently being used for Township vehicles and for vehicles and equipment the farmer is using. She stated she feels there will still be room for everyone although they do have to look into this further. She stated the Aark does have funding available to fix up a lot of the buildings; although she agrees that they need to determine how this will all fit together.

Mr. Stainthorpe stated he does not feel action tonight would be appropriate and feels additional research needs to be done to see what type of work needs to be done and consider this as a whole. He feels this would be a great idea noting the Patterson Farm

House is currently empty. He noted there must also be a determination of exactly what buildings they will use, how much renovation costs will be, and who will pay for the renovations. Ms. Stretch stated they also need to know what the Township considers to be a long-term Lease. She stated she feels they need to sit down in a small group. Mr. Stainthorpe stated he feels they need to work with the Township Manager and then come back to the Board.

Mrs. Godshalk stated she feels this would have to go out to public bid. She stated she feels Mr. Patterson would be upset as he loved the land and sold it to the Township because they agreed not to develop it into houses. She stated from the beginning, the Board of Supervisors stated the houses would probably be subdivided and sold to put them back on the tax rolls. She stated they did try to do this with the Satterthwaite House four years ago, and some of the members of the Board stopped this so that they could have the Study Committee. She stated the taxpayers are paying off \$7.5 million, and she feels they should look at some way the taxpayers could get some of the money paid toward the debt service. She stated she is very much in favor of the work the Aark does, but the taxpayers would be completely funding this operation. She stated they have tried to sell or Lease other buildings such as the one at the Golf Course; and when people find out what they have to do to restore them, they back out. She feels more study needs to be done. She stated the Township must consider if they want to tie something up for a significant length of time.

Mr. Stainthorpe asked the term of the Lease they are looking for, and Ms. Stretch stated fifty years.

Mr. Truelove asked what their previous Lease was before they became month to month; and Ms. Stretch stated she had no Lease. She stated she had not seen or talked to her landlord in thirty years, and her rent never changed. She stated she paid \$180 a month, and she had access to all the acreage and a barn. She maintained the buildings herself.

Mr. Smith asked that they meet with the Township Manager, Finance Director, and Township Solicitor to come up with a proposal that they can then bring back to the Board of Supervisors. Mr. Santarsiero stated they should also make a delineation of what buildings they need and what they need to build. Mr. Smith asked that they return to the Board within thirty days.

Ms. Stretch stated raised this evening was the fact that the citizens are paying off the cost of purchasing the property; and she stated they would need more information about what the Township would need in this regard if the Aark is going to be restoring buildings as they will putting in a lot of money in on their own.

Mrs. Godshalk stated the main house with five acres could be sold for \$1 million or more. She stated when they purchased the land, the Motion indicated that possibly the homes

themselves would be subdivided out. She stated two people were interested in purchasing the Satterthwaite House and to restore it, but the negotiations then stopped. She noted one of these individuals had previously restored the house across the road and made it into a showplace and put it back on the tax rolls.

Mr. Santarsiero stated he is not in favor of selling any of the houses on the Patterson Farm. Ms. Torbert stated she feels the residents of Lower Makefield were in favor of preserving the entire Farm including both homes. She stated for this proposal, they are discussing the main Patterson home – not Satterthwaite. She stated she does not feel Mr. and Mrs. Patterson ever contemplated that the Township would sell their house and five acres to a private owner when they made the arrangement with the Township. Mrs. Godshalk stated this was in the original Agreement, and the Pattersons were aware of this otherwise it would have been developed into a shopping mall.

Ms. Helen Heinz stated the Patterson Stakeholders Committee was unanimous that the Farm should stay together and never be parceled out in any way. She stated they looked at the possibility of long-term Lease from the start, and they felt the Aark would be an excellent fit. She stated she has personally cleaned the Patterson House with a group of Scouts two months ago, and it is in perfect condition and is ready to be moved into. She stated there is a hot water pipe on the second floor in the bathtub that needs to be repaired. She stated the cinderblock building would be an excellent building either for storage or an education building. She stated she would discourage them from using the small cottage as it is probably the oldest structure on the Farm, and there is some indication it may be a 17th Century House; but there are other structures they could use for their avian recovery or clinic. She stated she is concerned that they are not moving forward on this noting they would not be giving away the structures as it would be a Lease. She stated at the Stakeholders Committee they discussed possibly a twenty-year Lease. She stated the Historic Commission has indicated that they would be happy to work on a list of work that needs to be done to the house. Ms. Heinz noted some Scouts are currently doing some painting at the property. Mr. Smith stated they will probably discuss this again at the second meeting in October, and asked if she could put together this list by that time for the Board's review.

Ms. Sandy Guzikowski, 1205 Big Oak Road, and member of the Patterson Farm Stakeholders Committee, stated she feels they should explore this option but is concerned that there is the presentation of presumed compatibility with the farming operation when they have not discussed it with the farmer, and she feels this must happen.

A short recess was taken at this time.

POLICE DEPARTMENT MATTERS

Chief Coluzzi stated last year the residents along Creamery Road came in with concerns about traffic safety particularly with children crossing the street. He stated Creamery Road abuts the Quarry Hill School, and there is a crossing that is used every day by children going back and forth to School. The residents had asked the Township to petition PennDOT to make the roadway a 15 mile per hour school zone which PennDOT subsequently declined; however, substantial improvements will be made to Creamery Road. He thanked Lisa Gayle and others in the area for their help.

Ms. Lisa Gayle, Quarry Commons Drive, thanked the Citizens Traffic Commission, the Police Department, and the Board of Supervisors for their help.

Chief Coluzzi stated Chad Dixon, Traffic Planning & Design, was very instrumental in getting the changes made through PennDOT. Chief Coluzzi stated the changes include relocating the north and south flashers to the proper location, installing additional signage, and putting light around the curve area as there have been several accidents in this area. They will also do selective enforcement after the improvements are made. He asked the Board of Supervisors to approve approximately \$16,000 to do these improvements.

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to approve \$16,000 to Armour Electric for improvements to Creamery Road as outlined by the Chief of Police.

Mr. Smith stated the Board receives a weekly Police Activity Report, and he asked for the Chief to discuss the “A Child is Missing Alert.” Chief Coluzzi stated the Lower Makefield Police Department recently signed up for this program; and it has already helped them as there was a teenager suffering with a medical history who was lost, and they initiated this Program. He stated this is a program similar to the Amber Alert, but in this case it notifies people by telephone. He stated the Police provide a description of the lost child, a Senior Citizen, or someone suffering from Alzheimer’s, etc. and the technicians focus in through satellite maps to that particular area and start making phone calls to everyone in that area giving a description of the missing person. He stated in this case, they received at least a dozen calls from people reporting they saw someone fitting that description, and it helped the Police focus in on a particular area; and within four to five hours, he was located. He stated Lower Makefield is the only Police Department in Bucks County that belongs to this.

UPDATE ON TOWNSHIP/BRRAM CHALLENGE OF THE FAA FONSI RULING

Mr. Bill Lynch, Mr. Paul Krupp, and Mr. William Potter, attorney, were present. Mr. Potter stated they have provided Mr. Truelove a chronology on this matter. He stated this is subject to Attorney/Client privilege and is protected information particularly since the last items do include legal strategy. He stated they have also provided copies of an Attorney/Client privilege matrix which compares the various settlement offers and counter-offers that occurred over the past ten months between Lower Makefield Township and BRRAM before the Third Circuit Court of Appeals. Mr. Potter stated in February, 2006, the FAA issued a Record of Decision (ROD) which adopted a Finding of No Significant Impact (FONSI) with respect to the planned expansion and enhancement of the Trenton/Mercer Airport. This has been something that residents of Lower Makefield Township have been involved in for more than ten years dealing with their efforts to require more responsible management of the Airport. Mr. Potter stated the ROD was finally published in April, 2006; and in May, 2006 the Board of Supervisors authorized them to file a Petition in the Third Circuit Court of Appeals. He stated that commenced the litigation period to challenge the inadequacy of the environmental impact statement process with reference to the lack of assessment of noise mitigation, cumulative impacts, and long term consequences of the planned expansion of the Airport.

Mr. Potter stated they have been engaged in some intense negotiations with the FAA, and Mr. Fedorchak has been in attendance at all of the meetings along with Mr. Krupp and Mr. Lynch. Mr. Potter stated they have come to a point where they need to make a decision on the settlement offers. He would like to discuss these in detail in Executive Session with the Board of Supervisors since they are operating under the Confidentiality Rules of the Third Circuit Court of Appeals. He stated he would be willing to answer any questions about the matrix prior to the next meeting through Mr. Truelove or Mr. Fedorchak. He stated the Chief Mediator has been pressing them to resolve things, and he feels they should move forward quickly.

Mr. Stainthorpe stated he feels this Executive Session would be fairly lengthy based on what he has been provided already; and while his is not usually in favor of special meetings, he feels this meeting should be separate from the next Board meeting and possibly do it during the day. Mr. Santarsiero agreed noting if they did this during a normal Executive Session, they may be pressed for time to get to the public meeting. Mr. Smith suggested that Mr. Fedorchak contact Mr. Potter about when they could have a special meeting. Mr. Potter thanked the Township Manager, Mr. Lynch, and Mr. Krupp for all their work.

Mr. Smith asked if anyone has joined the Township in this, and Mr. Krupp stated basically Lower Makefield Township is by themselves with regard to the litigation. He noted the planes basically fly over Lower Makefield; and if they had proceeded with

what they planned with Southwest Airlines, the Township would not be a nice place to live in.

Mr. Truelove stated the public should be advised that it is proper to consider this matter in Executive Session because of the confidentiality imposed by the Court and discussion of litigation strategy is permitted under the Sunshine Act to be held in Executive Session.

Mr. Krupp stated the newspapers have discussed the air space re-design project going on in the East Coast corridor; and he was at a Delaware Valley Regional Planning Commission Meeting last week and they are very interested in getting something started in Trenton/Atlantic City/Allentown.

DISCUSSION AND MOTION ON CITIZENS TRAFFIC COMMISSION
RECOMMENDED RESPONSE TO THE BUCKS COUNTY REGIONAL TRAFFIC
STUDY

Mr. Chad Dixon, Traffic Engineer, was present. He stated they included a draft letter prepared for the Board's review to submit to the DVRPC in anticipation of their next Open House. He stated this study as been going on for several months and is looking at key roadways in the Region in terms of existing efficiencies and future improvements which may be needed to address future growth going out twenty years. Mr. Dixon stated the key roadways which were studied in Lower Makefield Township were Lindenhurst Road, Stoopville Road, Newtown By-Pass, and Taylorsville Road/Pine Grove Road corridor.

Mr. Dixon stated they divided the letter up in sections based on the key roadways included in the study. He stated with regard to Lindenhurst Road he noted Comment #5 where the study recommends some alignment changes mainly to straighten out some horizontal curves. He stated they are concerned with this proposal as they feel this would encourage higher speeds and more through traffic. They have requested further explanation as to why this is being recommended.

Mr. Dixon stated with regard to Stoopville Road the study recommends changes to Washington Crossing Road and Stoopville Road which is a significant change and where there is currently a "T" intersection, a round-about has been proposed. Mr. Smith stated he and other Supervisors have received many e-mails about this, and residents are concerned with this round-about. Mr. Santarsiero stated this was discussed at the Citizens Traffic Commission, and the issue is that currently Washington Crossing Road is the major road and Stoopville Road is a lesser road. The proposed realignment would reverse this, and he is concerned that doing this re-alignment would encourage more development in the whole Stoopville Road corridor, not only on Stoopville Road itself. He stated this could lead to more cars going on Dolington, Woodside, and Lindenhurst

Roads. He stated if this approach was adopted and the re-alignment took place, it would spur additional growth; and ultimately the traffic burden would be borne disproportionately by Lower Makefield. He has discussed his concern with a Supervisor in Newtown Township who shares this concern. He stated last evening he went to the Yardley Borough Council meeting; and although they did not take a vote on this issue, a number of people there did see what the concern was. He stated he feels the Township needs to underscore this and be quite vocal about it as it could have a very detrimental impact on the Township.

Mr. Santarsiero provided to the Board this evening a Plan prepared by a member of the Newtown Township Planning Commission which shows that putting the round-about on Washington Crossing Road and maintaining the current alignment would be preferable because it would not create the problem with Stoopville Road. He stated they also feel they need to re-visit the round-about issue to explain why they are proposing use of a round-about as opposed to a traffic signal or some other method.

Mr. Smith stated 100% of the e-mails he received were opposed to what has been proposed.

Mr. Stainthorpe noted a red area on the Plan, and Mr. Dixson stated this would be existing roadway that would be abandoned. Mr. Stainthorpe stated in addition to creating a bad traffic situation, it appears they will put a business out of business. Mr. Dixson stated they are proposing to provide a driveway off of Washington Crossing Road that would go back to that site utilizing the existing Washington Crossing Road alignment.

Mr. Smith stated these proposals will come up before the Regional Committee on which he and Mr. Caiola sit as Lower Makefield representatives. He stated there are sixteen representatives, and some people in other areas of the region feel that anything Lower Makefield Township does to Lindenhurst Road in this area is meant to deflect traffic over to Swamp Road. Mr. Santarsiero stated it is not an issue with Swamp Road, and is something that is a problem because it will spur growth and add a huge traffic problem in Lower Makefield and as noted by Mr. Stainthorpe, put the Village Market out of business. Mr. Smith stated there is a feeling among many members of the community that the Regional Study Group is in favor of doing a Stoopville Road By-Pass; and when he sees something like what is being presented here, it does seem like a By-Pass.

With regard to the Newtown By-Pass, Mr. Dixson stated a number of comments (#14-#19) are with regard to some additional design improvements they feel should be evaluated by DVRBC. He stated in Comment #20, they have asked if the DVRPC would consider more long-range capacity improvements to the Newtown By-Pass with additional lanes at intersections, additional through lanes, grade-separated interchange at key intersections so that as growth continues in the Region to try to maintain the By-Pass

as the facility for through traffic and regional traffic rather than being diverted onto secondary or collector roads.

Mr. Dixon stated Comment #21 was added after the meeting held Monday evening and asks that a recommendation be added under the By-Pass regarding the traffic signal improvement initiative so that Lower Makefield and Newtown Township would coordinate throughout the future on system maintenance and evaluation to ensure that the new traffic signal system is operating in an optimum fashion.

Mr. Dixon stated the next section relates to Taylorsville Road/Yardley-Morrisville Road/Pine Grove Road corridor. Mr. Stainthorpe stated he was previously on the Regional Traffic Commission and questioned when this section became part of this as the issue had been the study of quarry truck traffic. Mr. Santarsiero stated they are talking about truck movement through Yardley Borough as well; and there are two problems – the first being the number of trucks that get off at the first Pennsylvania exit of I-95 (the Yardley Exit), come south through Main Street, and go up Afton to get back on I-95 at 332 in an attempt to circumvent the weigh station. He stated the second problem is trucks that are getting off I-95, going down Taylorsville through Yardley Borough and ultimately Pine Grove to Route 13 to get to the landfill. He does not feel the report addresses in any significant way either of these problems.

Mrs. Godshalk stated this became a problem five to six years ago when the State lowered the roadway going under the railroad bridge as the trucks previously could not fit under the bridge. She stated this should never have been lowered. She stated if the road could be raised up again, it would solve this problem. She stated the By-Pass was built because they did not want large trucks going through Newtown Borough because of the historic homes; but they have now opened up Yardley Borough and Lower Makefield to these trucks.

Mr. Smith stated the Newtown By-Pass is not working well and rather than remedying this southern By-Pass, they are looking for other options such as a Stoopville Road By-Pass which he feels is inappropriate.

Mr. Dixon noted Comment #23 relates to the intersection of Taylorsville Road/Dolington Road and Main Street. He showed a slide of the existing alignment of the intersection where there are currently heavy volumes of traffic traveling to and from I-95. He stated the intersection has been identified as a congestion problem and they have made a recommendation to provide more capacity at the intersection through use of a round-about as opposed to a traditional signalized intersection. Mr. Dixon stated there is really no explanation as to how they arrived at this recommendation which could cost \$1 million, and the comment asks that they explain this and see if this problem could be addressed at a lesser cost.

Mr. Stainthorpe stated at one point they were discussing a light at this location that would possibly be funded by a Grant from the Bridge Commission which he feels would be better than what they are proposing. Mr. Santarsiero stated he feels this is the view of many members of the Yardley Borough Council as well, and they are unsure why a round-about is being proposed there. Mr. Dixon had indicated a round-about would cost approximately \$1 million and a traffic light would cost \$150,000 to \$200,000.

Mr. Caiola asked if they feel they have considered in their report the additional traffic to be generated from the development of the Magnet Site, and Mr. Dixon stated he feels they have included this in their future conditions analysis. He noted a lot of the supporting data is missing from the DVRPC Report, although they indicated they would provide that at a future time. Mr. Dixon stated he feels many of the comments in this letter will make the message clear that this technical background needs to be provided. Mr. Santarsiero stated when the Magnet site is developed, this will become even more of a problem. He stated currently they are re-directing traffic that is improperly cutting through Lower Hilltop and this will encourage further volume down to Dolington and Taylorsville which is the right thing to do; but this further underscores the need to deal with the intersection, and he feels that a traffic signal is the appropriate thing to do. He stated they need to consider this as a priority item and discuss it with Yardley Borough as well. He stated one source of funding could be the Joint Toll Bridge Commission as part of their Scudders Falls Bridge project.

Mr. Dixon noted Comment #26 identifies the intersection of Yardley-Morrisville Road and Edgewood Road as a problem intersection identified by the Citizens Traffic Commission, and they asked that this be considered by DVRPC in their study. He noted Comments #28 to #30 expand on Comment #27 and asks that they provide more detail on what the Committee felt was a lack of accuracy in terms of how public input was depicted in the specific figures during the Open Houses and the meetings with the Townships. He also noted Comment #34 asking that they try to make the link between transportation and land use planning and look at whether the recommendations they are putting forth are consistent with land use policies of each of the Townships.

Mr. Dixon stated a final draft will be put together, and they will send it to the DVRPC. Mr. Smith asked that they also send RTTS a final draft.

Mr. Santarsiero stated the public comment period closes tomorrow so this letter must go tomorrow to DVRPC. He stated both Newtown Township and Yardley Borough are not in a position to provide a letter of comment; and they are going to seek extensions of time so that they can get their comments in. He stated without an extension, they will not have the right to do this; and he would ask that the Board, in addition to approving the letter, also request that the DVRPC extend the public comment portion to allow the other Municipalities sufficient time to get their comments in.

Mr. Santarsiero moved that the Board of Supervisors approve the letter provided this evening to be sent under Mr. Fedorchak's signature tomorrow to the DVRPC and further that Lower Makefield Township request that the public comment period on the draft report be extended for an additional period of time to accommodate any town within the Regional Traffic Task Force area to provide their full comments to the DVRPC.

Mr. Stainthorpe stated he feels in the opening paragraph it should be acknowledged that this was reviewed by the Citizens Traffic Commission and the Township Traffic engineer. Mr. Caiola agreed noting he feels Lower Makefield is one of the few Townships that has a Citizens Traffic Commission that looks at these matters in detail before making a response.

Mr. Caiola seconded the Motion.

Ms. Nicky Parlett, 1217 Lindenhurst Road, stated she lives 15' off the road, and is very concerned about safety. She stated when she sees plans for straightening roads and removing signs, she feels there will be more speeding. She stated the corner they are considering widening is the only traffic-calming feature they have. She stated she feels enforcement is very important, and she feels the speeding they see would be solved if the speed limit were enforced. Mr. Smith stated he feels the Lower Makefield Police Chief has done a good job and his name is mentioned frequently when they discuss traffic enforcement. He stated other areas of the Region are also active. He feels the Chief is a leader in the area.

Ms. Sue Herman thanked Mr. Santarsiero, Mr. Dixson, and Mr. Fedorchak for taking the time they did to consider the residents' concerns. She stated residents who live on Lindenhurst Road and on neighboring roads should be alarmed by the draft recommendations coming out of State Representative Steil's Task Force. She stated the intersection treatment recommended for Washington Crossing and Stoopville Roads is a major step toward construction of a northern by-pass along Lindenhurst Road that the residents of Lower Makefield and Newtown Township have protested for years. She urged residents who live along Lindenhurst Road and neighboring roads to come to the meeting tomorrow evening for the last public Open House which will be held at the Richboro Elementary School from 6:00 p.m. to 9:00 p.m.

Motion carried unanimously.

DISCUSSION AND MOTION ON DEER MANAGEMENT PROGRAM

Mr. Bryon Shissler and Mr. John Heilferty were present. Mr. Shissler reviewed the problems with the overabundance of deer and goal of deer management which is to maintain white-tail deer as a valued component of the native fauna while also

implementing a program that restores the natural population stabilizing effects of predation on deer and to protect, maintain, and restore the structure, diversity, and function of the Township's forests and open space. They also want to reduce the probability of contracting Lyme disease and reduce deer/human conflicts. They want to manage the deer in a safe, humane, socially-responsible way and establish permanent, quantitative monitoring programs that allow the Township to assess success.

Mr. Shissler stated the Township is one of the more difficult areas in which to manage deer because of the Township landscape which includes excellent deer habitat within residential areas. He stated the wood lots are mostly small, fragmented, and surrounded by residential development; and much of the open space is agricultural fields where recreational hunting will not work. He stated they cannot address community-wide impacts using mitigation techniques like repellents and fencing. He stated while progress has been made in fertility control, it does not work for this area. He stated recreational hunting does occur in the Township, but the evidence is that recreational hunting will not solve the problem. He stated they have recommended sharp-shooting as the only option based on the information available and have further recommended that the Township modify the traditional approach so that local people can be trained to eventually do this for the Township. He stated they need to focus on long-term management.

Mr. Shissler stated they also recommend compliance monitoring which is doing in the field what was agreed to based on the best information and effectiveness monitoring which is quantitatively evaluating what you are doing to make sure you are achieving your goals.

Mr. Smith noted there was an individual who made a presentation to the Farmland Preservation Corporation, and he wanted to give that individual the opportunity to come this evening to explain his archery program; but it appears that individual did not attend.

Mr. Andy McCann, 1201 Wilshire Drive, stated he read the Report but feels the commentary in terms of recreational hunting was given short shrift noting a program on Public Television featured a representative from the Pennsylvania Game Commission who indicated recreational hunting is a key component of wildlife management in the State of Pennsylvania. He stated he would strongly encourage the Board of Supervisors to allow a recreational hunting component (archery) as part of the solution. He stated the report suggested that there should be no reason to discourage hunting, although there was a later suggestion that there could be learned behaviors from recreational hunting which would make the sharp shooters job more difficult. He stated he has done some research on the Game Commission Website, and they indicated this is not the case as far as learned behavior.

Mr. Nelson Runger, 14 Glen Olden Road, stated he is primarily concerned with the safety of drivers and their passengers on roads frequently crossed by deer. He stated he often sees deer entering their yard from Black Rock Road between 5 p.m. and 7 p.m. the peak time for commuters. He stated a friend at 699 River Road has authorized Mr. Runger to state on his behalf that at any hour of the day there are between three and eleven deer on his property. After feeding, they cross River Road and pose a threat to drivers on that highway. They have also experienced near misses. Mr. Runger stated he is also concerned with damage done by foraging deer to the plantings on the property of Township taxpayers. He stated the study has addressed a course of action, and he asked the Board to the authorize that course of action. Mr. Smith asked how long Mr. Runger has lived in the area, and Mr. Runger stated he has lived there since 1970, and the problem has gotten much worse in the last five years.

Ms. Jean Bray, 12 Terracedale Road, stated she appreciates the Board is concerned enough about the feelings of the residents to not only finance the study but also to allow the time for public comment. She stated she is very sympathetic to the problems that are being caused by the increasing number of deer in the Township particularly as it relates to the farmers. She stated she also realizes that as more development takes place, there will be even more issues with wildlife. She stated she personally would like them to find better ways to manage the problems than killing the animals which add to the quality of life. She stated killing them now will not resolve the problem long term, and they will have to continue to kill them. She stated she feels they should consider contraception and other ways which may require more work but are more humane. She stated car/deer accidents are a problem, but feels if there was more education about when the deer are most active, people could learn when and where they need to be more careful. She stated people would have to drive slower. She stated there are also light reflectors which could be used to alert deer that cars are coming. She stated with regard to the impact to gardens, she stated there are plants deer do not like as much as others which could be planted. She stated fencing, netting, and repellents could also be part of this. She stated she feels the least acceptable solution is to kill the deer. She stated if the decision is made to have a hunt this time, she would ask that the Township take a leadership role in pursuing other more humane methods in the future so this is the only hunt they ever have. She stated if there is a hunt she would hope that Mr. Shissler's recommendation is followed as she feels this would be the method that would be as quick and painless as possible.

Mr. Smith stated he agrees with Ms. Bray on some of the points she has raised and he is concerned about animal rights, but stated he is concerned with the proliferation of Lyme disease. He feels there could be education as well.

Mr. Jim Bray, 12 Terracedale Road, stated he is sympathetic with the Township farmers and residents whose properties have been damaged by the deer; but from an ethical viewpoint, he does not feel we as a society have the right to kill these animals. He stated

humans have created this problem through the removal of predators and the overdevelopment of the landscape which has created the ideal habitat in which deer can thrive. He stated the Pennsylvania Game Commission is funded by Hunting License fees; and is really nothing more than a huge recreational hunting lobby for its constituents, the hunting population of Pennsylvania. He stated although surrounding States have all instituted non-lethal trials using various amino-contraceptive drugs, the Pennsylvania Game Commission does not allow this to happen. He stated he believes most community members would favor a non-lethal option should it be reasonably economical. He stated he intends to request that Lower Makefield Township be open to non-lethal, amino-contraceptive and sterilization programs when such programs become a viable alternative. He stated there are currently drugs on the market showing great progress, one of which, Gonacon, will probably be approved by the EPA within a year. He stated this has been used effectively in an on-going trial in Princeton, New Jersey. He would also request that concerned citizens petition their Legislators to introduce Bills and policies that will change significantly the Charter of the Pennsylvania Game Commission so that in its role of regulating wildlife in the State, all Pennsylvanians, rather than the hunting population alone, will be fairly represented.

Mr. Sam Conti, Farmland Preservation Corporation, stated last December Joe Arden addressed the Farmland Preservation Corporation presenting his non-profit organization called Treetop Sportsmen which is a wildlife management organization made up of twenty licensed archery hunters. He stated Mr. Arden would like to organize and manage an exclusive Lower Makefield group made up of local residents who are licensed archers who would serve the Township year after year. Only those hunters from his group would be allowed to participate in the hunt, and it would not be open to the public at large. The hunt would proceed sixty yards away from the home sites, principally from an elevated platform stand of fifteen feet which provides a success rate of 70% compared to a surface success rate of only 15%. He reviewed how the animals would be disposed of. The carcass would be delivered to a butcher who would prepare the edible venison portions. The total cost would be absorbed by Mr. Arden's group, and they will provide venison shares to the hunters and the balance will be donated to food banks. He stated they did not discuss geese control with Mr. Arden; but after he left the meeting, there was subsequent discussion among the Board about the damage to farm crops by large flocks of geese. Mr. Conti stated Mr. Arden was advised that they would not limit the deer hunt to Farmland Preservation property alone, and it would have to be a coordinated effort involving Township properties. They indicated to him they would await the outcome of competing presentations. He stated Mr. Arden has previously indicated to him that there would be no cost to the Township for his organization's management services; although he did indicate the Township archers would have to have insurance coverage at the cost of approximately \$1,000. Mr. Conti stated he advised Mr. Arden that they were going to have the meeting this evening; and while Mr. Arden indicated he would be present, unfortunately he is not. Mr. Conti stated he hopes the Board will consider Mr. Arden's organization if they decide to proceed with a deer hunt.

Mr. Jody Maddock stated he represents Ecologics, a biodiversity consulting company. He stated they were given the contract in Upper Makefield Township to design a deer management plan and to implement that plan. He stated Upper Makefield did look at sharp shooting, and his company can do this; but Upper Makefield did not decide to go with sharp shooting. Mr. Maddock stated he agrees that usually the recreational program is not very effective because of access and the fact that they are not managed. He stated Upper Makefield is proceeding with a program that Ecologics presented. He stated they had over 300 archers applying for the recreational side of the program and of those 100 were permitted to move onto the next level which was an interview process where there was a screening form designed to cover time they could devote to the program, experience, and responsibility. This number was brought down to twenty-five archers who have been tested, taken a bow hunters' safety course, and been subject to criminal background checks. He stated they have an eight point system for the archers such that a female deer is valued at 1 point, a male antlerless deer is valued at ½ point; and the archers in Upper Makefield under this program have to harvest 8 points before they can harvest an antlered deer.

Mr. Maddock stated they feel the hunters in the Township should be included in the process, and they have formed a landowner's cooperative program which is designed to allow those hunters to participate within the program. Ecologics has signed up properties that were not previously open to hunting and have tried to convince the hunters within the Township to go in the same direction as Ecologics. He stated within the "hunters sharing the harvest program" they can drop off the deer at three different processors and the cost is paid for through the "hunters sharing the harvest program." He stated they also have donations to cover the co-pay and the hunter can drop off the deer and it goes to charity. He stated they signed up fifty-six properties that were not previously hunted and a number of those are homeowners' associations. He stated they have been active in this program for four days. Last year for the total season 118 deer were harvested in Upper Makefield by recreational hunters; and in the first four days of this season under their program, they have taken 64 deer out of Upper Makefield Township. He stated if they can get access to highly-screened archers, they can do the job. He stated this is the program that Upper Makefield has accepted, and they feel it is the one that has the greatest chance for long-term success. He stated they could also do sharp shooting; but having this group of organized archers in place, once the sharp-shooters leave, this program would still be in place.

Mr. Stainthorpe asked what Upper Makefield paid them to do the program; and Mr. Maddock stated the Program for the archers is \$48,000 and for them to do the survey where they determined there were 3500 deer within the Township, the total cost was \$61,000. Mr. Stainthorpe asked how many deer they are looking to harvest this year, and Mr. Maddock stated he asked this of their Environmental Action Committee what they would like, and they limited them to twenty-five archers. He asked what the Township

would like to see for an initial start of the program, and they felt if they could triple the 118 which were harvested last year, they would consider it a successful program. Mr. Maddock stated he feels they will be able to do better than this number. He stated the season started last Saturday and goes through January 30 in the special regulation area.

Mr. Stainthorpe stated he felt Mr. Shissler had indicated Lower Makefield needed to harvest 250 deer a year for several years; and Mr. Shissler stated his recommendation is that the Township decide what it is they are trying to accomplish, and then monitor this. He stated in suburban deer programs, people focus on killing a given number of deer. He stated if there is a population of 3500 deer, typically they would have to remove 40% of the females if they are going to stabilize the population. He stated they often see programs where people kill hundreds of deer, but fail to effectively reduce the population to see an abatement of the problems for which they initiated the hunt. He stated he feels they should monitor the deer/vehicle collisions, tick abundance, and impact of deer on the forest eco-system and this would be the guide as to success. He stated he feels they will have to take deer down to very low levels to be effective.

Mr. Smith asked if there are figures for this year on vehicle/deer collisions, and Chief Coluzzi stated they average 70 to 80 per year, and he has seen an increase in the last few years.

Mr. Santarsiero asked Mr. Shissler what they would have to do in the first year in order to achieve the goals Mr. Shissler has discussed. Mr. Shissler stated they have recommended a sharp shoot; and the Township would put out an RFP, look at the qualifications, take bids, and do a standard sharp shoot using a variety of contractors that are available. He stated they have recommended that in order to control the population long-term, they will have to remove deer in perpetuity. He stated they were looking for a way to provide the Township a program that is politically and economically sustainable; and they feel the way to do this is to use a sharp shooter that they contract with not only to initiate the sharp shoot on a limited basis on some of the public lands, but also to go through a process where they select local people for the sharp shooter to train to control the population in perpetuity. He stated the challenge in sharp shooting is not the initial years when the deer are naïve and abundant and easy to remove, but the sustained removal long-term once they are brought down to goal. He stated the cost-effectiveness declines because it takes a greater effort for every deer.

Mr. Shissler stated he has no financial interest in the method the Township chooses. He stated he has challenged wildlife agencies, archery organizations, and sportsmen's organizations to provide quantitative, science-based information where archery hunters have successfully controlled deer population, and no one has come forward in twenty-five years showing that they are effective. He stated many hunters hunt because of the challenge involved in killing an individual animal, and this is particularly true for archery

hunters which is much more challenging than firearm hunting. He stated managing deer populations in a community is also challenging; and they feel there are people that have the attitude, skills, and the willingness to manage deer within a community on a very select basis at little or no cost to the community; and this is the route he is suggesting that the Township consider.

Mr. Smith stated Mr. Shissler previously indicated the cost per deer would be \$400 per deer; and Mr. Shissler stated the range for sharp-shooting tends to be \$100 to \$400 per deer.

Mr. John Lloyd, 1702 Yardley Road, stated he is the Chairman of the Friends of Five Mile Woods. He stated the Five Mile Woods has suffered one of the highest impacts from the deer population. He stated the Friends of Five Mile Woods are very much in favor of the plan that Mr. Shissler has put forward; and while they do not have any problems with recreational hunting, they are not sure that this would be a good option for the Five Mile Woods, although it may be appropriate for the rest of the Township.

Ms. Helen Bosley, 546 Palmer Farm Drive, stated she is in support of the report Mr. Shissler has submitted. She stated she feels if we compare ourselves to Upper Makefield it is important to recognize that their housing density is much less than Lower Makefield's and they probably have more farmland and more space between their homes so they may be more successful with a recreational hunt compared to sharp shooting. She stated she previously lived in the Black Rock Road area for twenty years and rarely saw deer, but she understands her former neighbor indicated she would typically see eight to eleven deer on her property before she moved two years ago. She stated she hopes the Board seriously considers the importance of moving forward on this public safety issue.

Mr. Caiola stated he agrees that there is a difference between Upper Makefield and Lower Makefield since Lower Makefield's density is substantially more. He stated it also does not seem as if there is a significant difference in cost between the Upper Makefield program and the program Mr. Shissler has suggested.

Mr. Maddock stated in Upper Makefield the first year is the highest cost because of the education needed, screening the archers, etc.; and they have promised a 30% rate cut for the second year, 40% for the third year, and 50% for the fourth year.

Mr. Warner Slater, 63 Black Rock Road, stated he feels the report was very thorough and they should proceed on it immediately. He stated he is very concerned about the impact of Lyme Disease since he has deer in his rear yard all the time and is concerned about the potential for deer/car collisions. He can attest to the growth of the problem in the last few years.

Ms. Virginia Torbert stated she agrees with the comments made by Mr. and Mrs. Bray. She stated if you read Mr. Shissler's report you will see he is not stating that after the hunt, the Lyme Disease or accidents will go down. She stated she has studied the accident statistics year to date, and she has not seen any deer accidents or only a very few. She stated all of the statistics are very vague, and it does not seem to be something they are going to be able to measure. She stated she feels the major concern is the Five Mile Woods; and while speaking with Mr. Lloyd at Community Pride Day she asked about the possibility of fencing in the Five Mile Woods. Mr. Smith asked if she would agree from her observations over the last few years, she has noticed there are more deer on her farm. Ms. Torbert stated she has noticed an increase on the farm, although she has not noticed it crossing the roads. Mr. Smith stated from people's comments, it appears that most people feel that there is a proliferation of deer; and Mr. Torbert stated she agrees. Mr. Smith stated he feels this will be a five to ten year program, and there must also be the education and oversight process. Ms. Torbert stated she feels they should do some human management rather than deer management and educate the people about driving, etc. She stated she does not feel this program is going to have the intended effect, and they will have no effective way to measure the results.

Mr. John Heilferty stated Mr. Shissler has been cautious to make it clear that this is not really about numbers nor is the way to monitor the progress going to be about the numbers. He stated it may come down to qualitative monitoring. He stated they have been doing this in the Five Mile Woods for five to six years and have put up deer exclosures which show that there has been significant over browsing in the uncontrolled areas compared to a 100% exclusion of deer where you can see a real difference in a qualitative sense. Mr. Smith stated Mr. Heilferty came in many years ago and spoke about the problem. He stated Mr. Heilferty instituted this program of measurement of the foliage so that he would be able to make recommendations. Mr. Heilferty stated the Friends of the Five Mile Woods, which is an extremely active and very caring group, initiated this program with him many years ago. He stated he has taken very deliberate steps to make sure the Board of Supervisors was not put in a position that they would have to make a decision without good information. He stated he feels what Mr. Shissler has provided is an objective, well-written, well-researched deer management plan.

Mr. Smith asked who would do the oversight, and Mr. Heilferty stated it is important to monitor and people will have to do this monitoring and this may involve costs. He stated other programs he is aware of do not have a monitoring program. He stated Mr. Shissler's approach is from a value-based, decision-making process. He stated with regard to the Five Mile Woods, Mr. Heilferty is concerned with the impact deer over browse is having on the ecology of an Eastern forest; and they will have to monitor this. He stated he and the Friends of the Five Mile Woods can monitor this in the Woods; although they would not be able to do this for the balance of the Township. Mr. Smith stated the residents should realize that this is going to cost money. Mr. Heilferty stated he feels the community is very aware of the problem in the Township that needs to be addressed and

noted he is often approached about the deer problem. He stated he has advised residents that although his focus is the Five Mile Woods, it is a Township-wide problem.

Ms. Liza Taylor, 125 Valley Road, stated the deer problem on her property has doubled in the past few years. She stated they are on her property year round, all the time. She stated her neighbors and their pets have had Lyme Disease. She stated the deer walk the streets as if they are family pets.

Mrs. Godshalk stated she has a home in the Pocono Mountains in a very rural area, and in her community they conduct yearly hunts as there are many recreational hunters in the mountains, and they actually go through the woods with a chain to push the deer away from the homes to have a shoot. She stated every year she gets the same number of deer back on her property. She stated in her community they install fences to protect their shrubbery. She stated they have learned to live with the deer, and she is torn about this issue. She questioned how they would monitor how effective they are.

Mr. Shissler stated a lot of deer management programs are initiated without the ability to judge whether or not you are successful. He stated they are recommending that they have quantitative as well as qualitative measures. He stated because they have the exclosures in the Five Mile Woods, there are statistically valid numbers as to what is in the exclosures compared to what is outside. He stated there are statistics on Lyme Disease and deer/vehicle collisions. He stated they can also measure with statistical confidence the number of ticks in the Township's open space. He stated there are ways in which you can quantitatively monitor whether you are achieving the goals set out for. He stated they must first decide what they want to accomplish and then set the monitoring goals to let the Township know whether or not they are achieving the goals. He stated just killing deer can be done in perpetuity, and they may never realize their goals. Mr. Shissler stated this is not a program that is anti-hunting. He stated they designed a program in Chester County where they will be very successful using just hunters, but this would not work in Lower Makefield. He stated recreational hunting is permitted in the Township, but this has not solved the problem just using the recreational hunters at this point. He does not feel there are any non-lethal techniques that will work in the Township.

Mr. Caiola stated he alters the way he drives in certain areas of the Township and has had as many as eleven deer in his back yard in Yardley Hunt which is a very congested neighborhood so it is not just a Five Mile Woods problem. He stated he feels educating people how to drive and awareness will improve that aspect of deer over-population; but unless they do something seriously, the deer numbers will continue to increase. He stated he does feel they need to consider the costs of the programs this year and in the future.

Mr. Santarsiero stated he respects Mr. and Mrs. Bray's opinion and does not feel this is an easy decision. He stated they entered into this process approximately one year ago because they recognized that there is a problem with the deer population. Originally they

learned about the problems in the Five Mile Woods and how the special flora of the Woods was being decimated by the deer. They also recognize that the deer population in the Township has become such a problem that it is a problem everywhere; and for this reason when they hired Mr. Shissler, they asked that he consider the entire Township and not just the Five Mile Woods. Mr. Santarsiero stated he has concerns about how they will monitor the success of this, although he does feel it is possible to do so based on the types of things that have been done to the Five Mile Woods with the exclusion zones and also feels they will be able to get evidence throughout the Township of the impact on vegetation elsewhere. He stated there are also statistics on accidents that are maintained as well as statistics on Lyme Disease. Mr. Santarsiero stated he is sympathetic about Mr. Bray's comment of being able at some point in the future to have a realistic non-lethal alternative to solve the problem, and he feels as a Board they should be open to this when it is available; however, since it is not available now, they must deal with the problem.

Mr. Santarsiero stated he would be prepared to make a Motion to adopt Mr. Shissler's recommendation and go forward with a sharp shoot and gather the information necessary to monitor whether the program is effective.

Mr. Smith stated he agrees with Mr. Santarsiero and feels it is time to take a positive step as opposed to continuing to have more studies. He stated he also agrees with the education component and feels they could do this through the School system as well. He stated he does not feel fencing would be effective in the Township. He stated he feels they can revisit this option; and when contraception becomes viable, they should consider this.

Mrs. Godshalk stated she is not suggesting fences but noted this is something that has been done elsewhere if people want to have gardens. She asked about the rifles used, and Mr. Shissler stated they use a 223 or 308. Mrs. Godshalk asked about the trajectory of the bullet, and Mr. Shissler stated no one has ever been injured on a sharp shoot; and this is why they should select the contractor carefully. He stated some sharpshooters will use an opportunity basis – driving around and shooting deer as they become available and others will only use pre-baited sites with a backstop and are very safety conscious and remove all the intervening vegetation so there is no chance for a projectile to hit a branch. Mrs. Godshalk asked how far the bullet could travel if it misses. Mr. Shissler stated they would never shoot at a moving deer; and by having pre-designed sites, there is always a back stop, and it could go no further than the backstop. Mrs. Godshalk noted Mr. Shissler indicated that some of the sharp shooters drive around; and Mr. Shissler stated he would not recommend that they engage a contractor that uses that technique.

Mr. Heilferty stated what a good sharpshooter does is select sites that are safe by nature, and he will not randomly drive around. They are pre-selected sites where there is an extremely high level of confidence that they will hit the deer or some earthen backstop.

Mr. Heilferty stated in the Five Mile Woods there are a number of areas where there is a fall line; and these would be ideal locations as they would hit either a deer or within a matter of less than twenty feet, you would hit earth. He noted it is not common that they would miss hitting the deer.

Mr. Santarsiero stated when they chose the contractor, they will have to get into these details.

Mr. Stainthorpe stated he feels the next step would be for Mr. Shissler to prepare an RFP, and he asked how long this would take. Mr. Shissler stated he could have this in two weeks. He stated the compliance monitoring is something the Police Department should be involved in. He stated he would not recommend that they hire a contractor and then "turn them loose." He stated they need to decide if they want to go out for an RFP for a sharp shoot and pay a contractor in perpetuity or explore the route of having the initial sharp shooter train local people to conduct the removals long term. Mr. Stainthorpe stated this is what he feels would make sense. Mr. Stainthorpe stated he feels it is beyond question that they need to take action; but they must decide how much money they can afford to spend, and what is the most cost-effective program which is why he is still intrigued with the situation in Upper Makefield, although he does feel they should move forward at this time. He stated he would look to have a recommendation from Mr. Shissler on the RFP.

Mr. Santarsiero moved and Mr. Smith seconded to have Mr. Shissler prepare an RFP consistent with the report and come back to the Board of Supervisors within two weeks. Motion carried with Mrs. Godshalk abstained.

Mr. Smith stated he would also like Mr. Shissler to take into account the educational aspects and other things which were discussed tonight and whether or not they are viable.

AWARD BID FOR POOL SCHEDULING AND MAINTENANCE SOFTWARE

Mr. Caiola moved and Mr. Santarsiero seconded to award bid for Pool Scheduling and Maintenance Software to Capture Point in the amount of \$5,298.

Mrs. Godshalk asked if this could be adapted to handle membership and pictures for the Golf Course which has been discussed in the past, and Mr. McCloskey stated it could.

Motion carried unanimously.

GRANTING EXTENSIONS FOR HARRIS FARM, LOTUS TRACT, AND NORMAN AND PATRICIA O'ROURKE

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to grant extensions to the following:

Harris Farm, Fieldstone File No. 496-N to 1/18/08
Harris Farm, Fieldstone, File No. 549 to 1/18/08
Lotus Tract, Big Oak Road to 1/7/08
Norman & Patricia O'Rourke, Washington Crossing Road to 1/21/08

ACCEPT DEDICATION OF DEERBROOK AND WILSHIRE GLEN

Mr. Truelove stated with regard to Wilshire Glen he understands that there are two lots that do not have Final Certificates of Occupancy; but since this is not the fault of the developer, the staff would recommend that they accept Dedication. He stated the staff has indicated that all punch list items have been met.

Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried to accept Dedication of Deerbrook and Wilshire Glen with the Approval for Wilshire Glen Conditioned upon a Final Certificate of Occupancy for Lot #4, 1241 Wilshire Road, and Lot #30, 1231 Wilshire Road.

SUPERVISORS' REPORTS

It was agreed by the Board for forego Supervisors' Reports this evening given the late hour.

OTHER BUSINESS

Mr. Caiola stated he has had complaints from a number of residents who do still not have access to the Township Channel on Verizon. Mr. Fedorchak stated in Verizon's Franchise Agreement with the Township, they are first afforded the opportunity to work with Comcast to piggyback off of the existing Channel 22; but he understands that while they have been negotiating with Comcast, they have not yet reached an agreement. He stated he will check to see if there is a date certain by which they must start up their own Channel 22. He feels it is was within one year from the date the Contract was signed. He stated they have been in contact with the Verizon representatives over the last three to four months reminding them of this responsibility.

September 19, 2007

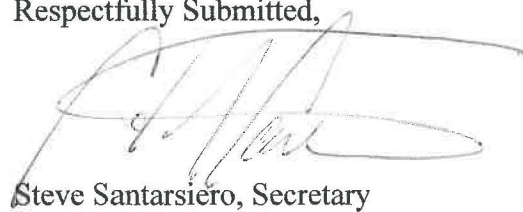
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APPOINTMENTS

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to appoint the following to the Special Events Committee: Becky Cecchine, Kim Dezeutel, and Mark Ellison.

There being no further business, Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to adjourn the meeting at 12:05 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "S. Santarsiero", written over a horizontal line.

Steve Santarsiero, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS
Ron Smith, Chairman
Greg Caiola, Vice-Chairman
Steve Santarsiero, Secretary/Treasurer
Grace M. Parkinson Godshalk, Supervisor
Pete Stainthorpe, Supervisor

**SEPTEMBER 2007 WARRANT LISTS AND
AUGUST 2007 PAYROLL COSTS FOR APPROVAL
SEPTEMBER 17, 2007 BOARD OF SUPERVISORS MEETING**

9/4/2007 Warrant List	\$ 641,652.64	
9/07 Manual Checks	202,272.00	
9/17/2007 Warrant List	530,581.11	
Total Warrants & Prepaids		1,374,505.75
<u>PAYROLL COSTS:</u>		
AUGUST 2007 Payroll	309,829.72	
8/07 Payroll Taxes, etc.	127,090.21	
Total Payroll Costs		436,919.93
TOTAL TO BE APPROVED		\$ 1,811,425.68

