

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – FEBRUARY 2, 2011

The regular meeting of the board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 2, 2011. Chairman Caiola called the meeting to order at 7:35 p.m. Mr. Smith called the roll.

Those present:

Board of Supervisors: Greg Caiola, Chairman
 Pete Stainthorpe, Vice Chairman
 Ron Smith, Secretary
 Dan McLaughlin, Treasurer
 Matt Maloney, Supervisor

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

PUBLIC COMMENT

Mr. Harold Koopersmith, 612 B. Wren Song Road, read a letter he sent to a number of individuals regarding the need for acceptable Municipal software.

Ms. Gudrun Alexander, 256 S. Fieldstone Court, thanked the Township for shoveling the Township sidewalks in a timely manner after the last storm. Mr. Smith stated there were some complaints about snow removal including problems with vehicles left on the street which prevented adequate plowing. Mr. Caiola stated it saves the Township time and money if people get their cars off of the road and get them into their driveways when the Township is trying to plow. He suggested that information be sent out to Township residents explaining why this is necessary.

APPROVAL OF MINUTES

Mr. Smith moved, Mr. McLaughlin seconded and it was unanimously carried to approve the January 19, 2011 Minutes as written.

ELECTRONIC MEDIA ADVISORY COUNCIL PRESENTATION AND MOTION TO ACCEPT PROPOSAL AND BEGIN IMPLEMENTATION

Mr. Zachary Rubin, Mr. Joe Ader, and Mr. Dave Keliher of the Electronic Media Advisory Council (EMAC) were present. Mr. Rubin reviewed the history of the Committee as well as their Mission Statement. Mr. Rubin stated some time ago EMAC was advised that some residents do not have cable TV so there is no way for them to view the Supervisor meetings, and EMAC has been exploring ways of bringing the meetings to those in the Township who do not have cable TV. He stated they also looked at a number of other ways to upgrade the Township Website.

Mr. Rubin stated EMAC is recommending that the Board upgrade the Website which has not been upgraded for approximately thirteen years. He stated they would like to make it more user-friendly, more accessible, and more interactive. Mr. Rubin stated they feel they would be able to integrate the Munilogic system that was discussed at the previous meeting. He stated they feel in the long run, this will save the Township money since residents would not have to come into the Township Building and request copies and information could be downloaded from the Website.

Mr. Rubin stated next week they will meet with a representative of the Lower Makefield Economic Development Committee to discuss ways to help that Committee when they update the Website. He stated Mr. Stainthorpe had indicated that there could be a list of restaurants and other professional services on the Township Website in order to promote economic development in the Township.

Mr. Rubin stated EMAC interviewed a number of providers to upgrade the Website and they received quotes ranging from \$5,000 to \$35,000. He stated they sent out an unofficial request for proposals, and providers have been coming in for the last year. Mr. Rubin showed on the power point a template for an upgraded Township Website. Mr. Rubin stated they are recommending that Michael Spillane be the provider to upgrade the Website at a cost of \$5,400 to \$6,800 depending on the character management system selected. Mr. Keliher reviewed the difference between the two systems. Mr. Keliher stated Word Press which is the more expensive system is a more “robust” system but could be more difficult for the Township’s use doing updates and templates. He stated Word Press is more interactive. He stated it would also provide notifications if a certain part of the Website is updated provided you are registered for that page. He stated it is similar to “blogging-type” software.

Mr. Rubin stated because this is a professional service, it does not have to be bid out, but added Mr. Spillane did provide the lowest responsible bid which is why EMAC is making this recommendation.

Mr. Rubin stated they were also looking for a way to archive the Board of Supervisors' meetings on the upgraded Website so that anyone could view the meetings at any time. He stated it would also be indexed so that you do not have to watch the entire meeting, and you could go directly to the part of the Agenda you are interested in. Mr. Keliher showed on the power point how this would be achieved. Mr. Rubin stated the company they are recommending to do this procedure will do it for \$250 a month. He stated the company will index it and put it on their server. He stated there will then be a link on the Township Website to access the meetings. He stated in addition to the \$3,000 per year, there is an additional one-time charge of \$450 to set this up.

Mr. Rubin stated the Bulletin Board which is streaming now has not been updated for five years. He stated this presents problems particularly in times of an emergency since currently if they want to broadcast an emergency someone must physically come into the building and load in the message. He stated if the Bulletin Board is upgraded, a device could be purchased so that this could be done from any computer that has Internet access. He stated the company they are recommending for this upgrade would charge \$4,462.50.

Mr. Rubin stated they are also recommending a character generator which will put characters underneath the screen. He stated Newtown Township and other surrounding Municipalities have this feature on their Websites. He stated this character generator also has the ability to translate the live feed into a flash player platform so that someone can go on the Website live and watch this by streaming it anywhere in the world. Mr. Rubin stated the company they are recommending for this upgrade would charge \$13,800 including set up and training.

Mr. Rubin stated the total cost of their recommendations would be \$27,113 for the less expensive system and \$28,513 if they go with Word Press. Mr. Rubin stated according to the Franchise Agreement with Verizon, they will be paying the Township \$5,825.50 on the fifth anniversary of the Agreement which is 11/20/11. He stated this amount has not been budgeted and could be put toward the costs so that the Township would then expend only \$21,877.50 to completely upgrade the Website, the broadcast, and access to the meetings through streaming on demand. He stated for the more robust system, the cost to the Township would be \$23,275 using the \$5,825.50 from Verizon.

Mr. Smith asked how much was budgeted for this, and Mr. Fedorchak stated approximately \$20,000 to \$25,000.

Mr. Rubin stated tonight they are asking the Board of Supervisors to authorize the purchase of these goods and services. He stated they will then work with the Township Manager with regard to the particular vendors.

Mr. Rubin stated they do meet from time to time with the representatives of Comcast and Verizon, and he was in communication with the Verizon representative last week asking about the status of the build-out. Mr. Rubin stated in the Franchise Agreement which was signed five years ago, Verizon is required to build out within six years the initial service area which are places where they can get from the road to a person's home, and they have ten years to build out the extended service area which is the entire Township. Mr. Rubin stated the Verizon representative indicated that they are at 90% build out of the entire Township.

Mr. Stainthorpe commended Mr. Rubin on the presentation and acknowledged the hard work of the entire Committee. He stated the Committee was very thorough and has been working on this for approximately one year, and he feels they are making a "solid" recommendation. Mr. Stainthorpe stated that Mike Spillane, the recommended Web Designer, does work for his company on a free-lance basis, and he asked Mr. Truelove if he should abstain from voting on this matter. Mr. Truelove stated unless there is some direct pecuniary interest to Mr. Stainthorpe, he does not feel he needs to abstain from voting on this.

Mr. Smith asked about the price differential on the bids they received, and Mr. Rubin reviewed the RFP which had been sent out. He stated Mr. Spillane met all the criteria and had the lowest bid. Mr. Smith asked the timeframe for implementation, and Mr. Rubin stated he feels it could take weeks. Mr. Smith stated the Township employees are faced with the task of providing certain records under the Right-To-Know Law, and he asked how these upgrades could save the Township time. Mr. Stainthorpe stated the Right-To-Know requests still have to come to the Right-To-Know Officer so that they can be evaluated. Mr. Fedorchak stated he agrees but he could advise residents of specific pages on the Website where certain information would be available; however, to properly satisfy the request in accordance with the law, he feels he would still have to provide this directly to the residents.

Mr. Keliher stated if the meetings were put on-line this could save some time as there are sometimes requests made to see certain parts of the meetings, and a DVD would then not always have to be provided.

Mr. Smith asked if they would be able to field questions from people at home during the meeting if they had questions regarding what was occurring. Mr. Stainthorpe stated streaming video is one-way and not interactive. Mr. Maloney stated if they had computers for all of the Board members at the meeting, they could receive e-mail messages in real time.

Mr. Rubin stated they would still have written Minutes, but the archiving would provide archived Minutes for three years; and for \$250 a month, they would do both Supervisors' meetings plus an additional ten hours each month which could be a conference on traffic safety, etc.

Mr. McLaughlin thanked the Council for the work they have done. He stated he feels the Website does need to be informational, but he was also looking for a transactional component. He asked if a resident could utilize this technology for simple Permits, Pool registration, paying taxes, etc. He stated possibly there could also be a place to have a "blog" for people to make insightful comments that would be available to the Board of Supervisors in real time during the meeting. Mr. McLaughlin also noted that they are looking for revenue-generating ideas, and he asked if they are limited on the content that they can put on the Website and asked if they could entertain banners which would generate revenues.

Mr. Maloney stated while he agrees with Mr. McLaughlin with regard to the transactional component, the Township financial systems are very old. He stated he feels there are opportunities with the Pool and the Golf Course. He stated he does not feel they could tie it directly into the financial system for the Zoning Office. Mr. Stainthorpe stated at this point he does not feel they can, and there would have to be a lot of additional software purchased and a lot more integration done in order for this to be effective. He stated in the short term, he feels they could have different forms available which could be downloaded and printed out. Mr. Maloney stated he feels residents could fill out forms, but they would still have to make the payment separately.

Mr. Maloney stated he feels that it would be a great to make use of the Web design if they could allow people in real time to interact with the Township staff and Township information.

Mr. Rubin stated he feels that if the Township agrees to proceed with Mr. Spillane, he should come before the Board of Supervisors so that they can voice their concerns, and Mr. Spillane could advise what he could and could not do with the Website.

Mr. Smith stated he would be in favor of advertising on the Website. Mr. Rubin stated their Committee did discuss this at numerous meetings. He stated they do have the ability to advertise now as set up on the Bulletin Board, but their Committee rejected this on the grounds that it is a Government channel, and they did not feel that there should be advertising on the streaming on the Bulletin Board on the Township Channel. He stated with regard to the Website; however, they had a number of vendors who said they could do it, and one vendor indicated that it would reduce by 50% the cost of their services if they would have links and streaming with national advertisers. Mr. Rubin stated their Committee has no objection to having some type of advertisement which would be revenue enhancers on the Website.

Mr. Stainthorpe stated the amount of revenue to be generated would be miniscule as the banners usually cost \$100 to \$300. He stated he does not feel they would get National advertisers that would pay \$10,000. He stated they would have to have a philosophical discussion on this noting that in the past they did not feel that this was appropriate to sell advertising space in the Township Newsletter. Mr. Rubin stated they did have a Township map that did have advertising so that there is precedence. Mr. Rubin stated EMAC could discuss this with the representative from the Economic Development Committee.

Mr. McLaughlin asked if there would be space on the Website for each Committee. Mr. Rubin stated the Township does pay a Webmaster that would be the conduit to put this information on the Website if provided information from the various Committees.

Mr. Smith stated YMS does have a Webpage which does have advertising, and it has been a revenue producer for the organization.

Mr. Smith stated he would also be interested in having an opportunity for someone to apply for a Permit on line so that they do not have to come into the Township office and to have some kind of mechanism for getting it approved and paying for the Permit.

Mr. Koopersmith asked if there is additional capacity to put presentations on the pros and cons of National policy and how it effects the economy. Mr. Stainthorpe stated he feels there are limitations on what types of political stands could be put on a Municipal Website. Mr. Koopersmith stated he feels this would be a factual presentation and not political.

Mr. Arthur Cohn, 7906 Spruce Mill Drive, asked if bills could be paid using this system such as the sewer bills, and Mr. Maloney stated currently they do not have this capability. Mr. Rubin stated the Website could be set up with a Pay Pal to pay any vendor. Mr. Smith stated YMS does use an on-line payment plan now. Mr. Maloney stated he does not feel it would be a very integrated system, and they would then be adding another level of financial transaction to a staff that he is not sure has the capability to handle it. He suggested that they consider this in the future. Mr. Cohn stated he feels that they could send out the bills through e-mail rather than mailing them out which would save postage. Mr. Smith stated he does feel all of this is something that could be done eventually.

Ms. Virginia Torbert, 1700 Yardley-Newtown Road, thanked the Committee for an excellent presentation and recommended that the Board proceed with this. She stated she assumes that nothing they are recommending now would preclude what could be done in the future. She stated currently the computer services are contracted out, and Mr. Fedorchak stated DMX handles the hardware piece. Ms. Torbert asked how this will interface with them. Mr. Stainthorpe stated when you develop a Website, the developer

does it on his own computer; and when it is considered by the Township to be complete, it is then put onto the Township's server, and it would go to the same place that the Website exists now. Ms. Torbert asked who would be getting the training that has been discussed, and it was noted that the staff would be trained. Mr. Maloney stated DMX is IT support. Ms. Torbert asked if this will put an additional burden on the Township staff, and Mr. Stainthorpe stated he does not feel what is being proposed will put any additional burdens on anyone. He stated the systems being discussed are content management systems which are typically fairly simple and would enable a Township employee to update a Web page. He stated the system which was discussed which was less expensive would be simpler for a lay person to use. Mr. Fedorchak stated for the text on the Cable Channel the information is sent to the Webmaster who handles this. Mr. Fedorchak stated once the staff is trained, he feels they will have a user-friendly system, and this will allow more of the Township staff to be involved in directly updating and upgrading the Website, but they would also continue to have a relationship with the Webmaster although it may be more limited.

Mr. Smith asked if this is compatible with the Munilogic project, and Mr. Rubin stated he did ask this question at the last Board meeting, and the representative for Munilogic indicated that they would work with the Township to interface. Mr. Stainthorpe stated at this point in time he feels they are separate things; but by upgrading the Website, they are providing a platform for future integration. He stated at the last Board meeting there was a discussion of the E-Gov module which is being developed, and that would allow people to come to the Website, access real-time information, apply for Permits, etc.

Mr. Tim Malloy, 1902 Makefield Road, stated he agrees that this was an excellent presentation. He asked if they have an idea as to who would access what is being proposed. Mr. Rubin stated they not done any surveys or polls, but once this is up and running there is a counter that would do tabulation. Mr. McLaughlin asked if they know how many "hits" they currently get on the Website per month, and Mr. Fedorchak stated at one point they did have a counter mechanism installed, but he does not know what the number is per month.

Mr. Smith stated he feels the number of people watching Board meetings and replays has gone up substantially since they began televising the Board of Supervisors' meetings five years ago. He feels this will also be the case with the Township Website once it is upgraded.

Mr. Stainthorpe moved, Mr. Maloney seconded and it was unanimously carried to accept the proposal as presented from EMAC and direct the Township Manager to begin implementing.

SEWER ISSUES

Ms. Danielle Farrell, sewer engineer, was present to provide an update on the Act 537 Plan. She stated they had previously discussed four areas in the Township which do not have public sewers and are noted in the Plan to be considered for public sewers. She stated they are reviewing these areas for specific features such as wetlands and soil types to see if they would be suitable to continue to use on-lot disposal systems or whether they should be switched over to a public system. She stated they have also surveyed residents in those areas, and two of the four areas have had OLDS evaluations performed within the last five to ten years to determine the condition of the systems and the quality of the drinking water.

Ms. Farrell provided this evening the results of the sewer surveys which were sent to each of the homeowners. She stated they had 123 surveys which were confirmed for delivery, and they had a 40% response rate.

A map was shown of the Township noting the four areas involved which were highlighted in yellow – Edgewood Village area, Delaware Rim Drive area, Yardley-Newtown Road area, and the Afton Avenue area. She noted the number of homes in each of the four areas, and stated these are the four areas that are listed in the Act 537 Plan for consideration for possible future sewerage. She stated the hatching on the map are the properties across the Township that have on-lot disposal systems. Ms. Farrell stated the Act 537 Plan which was adopted in 1990 identified six areas in the Township for public sewer, and two of them have been sewerage since that time.

Ms. Farrell stated of those who responded to the survey, a majority of the systems were described as being in good or fair condition; and only one of the respondents indicated that their system was in poor condition. She stated there was favorable interest in sewerage Edgewood Village, strong opposition from the Delaware Rim Drive area, and approximately 50/50 split for the other two areas. Ms. Farrell stated they will use this information to update the 537 Plan for each of the four areas with a recommendation as to if and when each of the areas should be sewerage.

Ms. Farrell stated with regard to the Edgewood Village area this has received positive response from the residents, the Health Department, and DEP; and they encourage bringing public sewer to this area sooner rather than later. She stated she has prepared a design to bring public sewers to the area through a gravity collection system and would do this in a phased approach. She showed a map of the area. She stated they have submitted for Planning Modules to the State, and the State has come back with questions. She stated the State wants to know about phasing of the project and funding. She stated they are looking to construct the project in three phases which she noted on the Plan with Phase I shown in yellow, Phase II in green, and Phase III in blue. She stated there are three homes in the blue area which would need a low pressure system. Ms. Farrell stated

they are proposing that in the next three years, they would have construction of Phase I complete, five years following that, they would construct Phases II and III. She stated they also need to identify funding sources for the project on a primary and contingency basis. She stated they are proposing that the primary funding source be through Grant money and developer contributions. She stated there are developers in the area, and she noted the location of Edgewood Crossing and Flowers Fields. Ms. Farrell stated the secondary funding source would be a Township-driven project where they would have a bidding process and select a contractor.

Mr. Fedorchak stated they are being asked by DEP to guarantee that this project will be completed; and if necessary that it would be done by the Township.

Mr. Smith asked the likelihood of receiving Grants for this project. Mr. Stainthorpe stated they did apply for an H2O Grant for \$1 million. Mr. McLaughlin stated he felt that there was also a matching component; and Mr. Fedorchak stated he feels the way this was set up was this was a contribution coming for the most part from the developer and was what the developer has spent on the project to date.

Mr. Stainthorpe stated the developer is proceeding with their project; and he assumes this was approved with public sewers. He asked where these flows will go and how will they connect with the system. Ms. Farrell stated the development was approved with a holding tank for one pad to be developed. She stated there is a tenant, and they have a three-year timeframe on the holding tank Permit. Mr. Truelove stated they had to revise the Holding Tank Ordinance to accommodate this.

Mr. Smith stated while they have applied for the Grant, with the change in the State Administration he asked if there has been any feedback on whether the Township may get the Grant. Mr. Caiola stated possibly the State Representative could provide an update on this next month. Ms. Farrell stated her understanding is that the Township was awarded the Grant, but they were not funded the Grant.

Mr. Stainthorpe asked the total cost of Phase I. Ms. Farrell stated while she does not have the breakdown of Phase I versus Phase II, Phase II has more than twice the length of pipe of Phase I. She stated the majority of the project cost is in the stone because the project is wholly within State roads, and they will need to do a full stone backfill. She stated if they can get out of the road, this would help to reduce the cost of the overall project. She stated \$1 million is for the job, and more than half of that would be for Phase II. She stated Phase I would be \$500,000 or less.

Ms. Farrell showed Phase III, and she noted how they would run the pipe. Mr. Smith asked the location of Mr. Miller's property, and it was noted it is in Phase III. Mr. McLaughlin asked if there was a reason it was phased in this way, and Ms. Farrell stated there is developer support for Phase I, and this helps to drive that portion. She stated they also anticipate developer support for a parcel which will help to drive Phase II. Mr. Fedorchak stated they could advance Phase III if they choose to do so if they had the cooperation of the property owners, and Ms. Farrell agreed.

Mr. McLaughlin stated Ms. Farrell indicated that the Delaware Rim residents were against public sewers, but added it is his understanding that they are required to connect. Mr. Stainthorpe stated there was a survey done of the condition of the on-lot systems of the Delaware Rim/Sunnyside area five years ago related to the Golf Course; and most of the on-lot systems were in good shape so there was not a compelling health reason to move forward. Ms. Farrell agreed that the conditions of the on-lot systems were fair to good in that area. Mr. Fedorchak stated while this is correct, he asked if DEP would agree that they do not have to move forward with this area. Ms. Farrell stated at this point they are required to re-evaluate the area and form an opinion as to a timeframe when public sewer should be brought to the area. She stated she feels they need to take a serious look at the conditions of the systems, the ability to re-install a system versus connecting in, and make a determination as to a timeframe in the future when using an on-lot system would no longer be feasible for the area. Mr. Fedorchak stated it seems that DEP could still require the Township to bring public sewers to the Delaware Rim area, and Ms. Farrell stated they strongly indicated this when they met with DEP.

OTHER BUSINESS

Mr. Truelove stated the Board met in Executive Session prior to the public meeting and discussed items of real estate litigation and Zoning.

GRACE POINT CHURCH - INFORMAL PRESENTATION REGARDING EXPANSION PROGRAM

Mr. Steve Brown, attorney, Mr. Tom Hanna, engineer, and Church representatives Glen Ely and Dave Lewis were present. Mr. Lewis stated they started the process for the Church in 1999, received Land Development Approval in 2002, and moved in mid-2004. He stated since 1999 they have increased their attendance about 75%, and this is driving the need for the expansion.

Mr. Brown stated they want to proceed with Phase II of the building process for which they already have Zoning and Land Development Approval. He stated Phase II is a Sanctuary to have seating for 650, but they need additional parking. He stated currently on an average Sunday morning, they have 750 to 800 people in attendance which is a significant increase from when they moved into the property in 2004. He stated they also have an overlap with people coming to one service and staying which means that there is a lot of time when cars are in the parking lot from one service while others are trying to come in looking for a place to park. He stated they have observed people come in and drive around; and when they cannot find a space, they leave. He stated the proposal is to increase the amount of parking which would mean they would also increase the impervious surface ratio. Mr. Brown stated in 2000 when the Church was ready to build Phase I, they knew that they would have to increase the impervious surface somewhat; and they received permission from the Zoning Hearing Board to go from 17% to 19.9%. He stated they would like to increase this, and also show where they are proposing to have the additional parking.

Mr. Brown stated they have instituted some measures to deal with the parking issues; and they have off-site parking at nearby businesses which have allowed them to use their parking lots, and there is a shuttle van to take people back and forth. He stated they also try to help guests find a place to park their car.

Mr. Hanna provided a copy of the Sketch Plan this evening noting that this was presented to the Planning Commission at their last meeting. He noted the existing parking and the existing building. He stated the Sketch also shows in light brown the proposed future building expansion. He stated the parking shown in white is the proposed expanded parking. He stated currently there are 272 parking spaces, and they want to increase this to 499 spaces. He stated there is an increase of 262 spaces and they will lose 35 spaces in the transition areas. He stated the Church would like to maintain the flat ground space shown on the Plan which they use for outdoor recreation.

Mr. Hanna stated they will also have to make modifications to stormwater management. He showed the existing detention basin, and stated the new parking would compromise the existing basin. He stated they will upgrade this to possibly include underground detention and infiltration areas underneath the proposed parking area. He stated the Church is currently served by an on-lot septic system; but with the construction of the residential community across Washington-Crossing Road, public sewer was brought across the street, and the Church intends to connect into that public sewer. He stated the existing septic field would therefore be taken out of commission, and this area would be expanded into the detention basin.

Mr. Smith asked the existing impervious surface on the property and what it will be if they proceed as requested. Mr. Majewski stated the existing is 17.9%, and they did get a Variance to go to 19.9%; and they would have to go back to the Zoning Hearing Board to get a Variance to increase the impervious surface. Mr. Hanna stated they are requesting permission to go to 29.5% impervious surface. Mr. Smith asked if this amount is unprecedented in this type of property; and Mr. Majewski stated it is not, but he would request that they consider using some permeable pavers somewhere on the site to lower the effective impervious surface ratio from a stormwater management perspective. Mr. Hanna stated they would consider this. He stated the Planning Commission also suggested grass paver blocks for some of the outlying parking areas.

Mr. Hanna stated DelVal Soils Consultants have done some preliminary infiltration testing on site, and there is some ability to infiltrate. He stated they would have to make up the difference in possibly underground storage in the parking lot.

Mr. Stainthorpe stated he does not foresee any big problem knowing that it is a somewhat isolated property, but they do have to go through the planning process.

Mr. Smith asked what is on the Newtown Township side of the property, and Mr. Brown stated there is a horse farm. He stated in Upper Makefield it is agricultural use, and the Washington Crossing Veterans Cemetery is in the area.

Mr. Maloney stated he feels they have done a good job trying to fit in the parking spaces they need, but he is concerned that the lot was zoned for 17% impervious surface, and they are now requesting 30%. He stated he feels they probably should have purchased a larger parcel if this was the original plan. Mr. Brown stated when they originally bought the site, they had no idea that they would need additional parking to this extent. He stated the site was actually larger when they purchased it, but about two acres on the corner was sold and a water tower is now located there. He stated a portion was also given to PennDOT to improve the intersection. He stated if the Church had known they were going to need all the additional parking, they probably would have proposed it initially. Mr. Maloney stated he assumes that the building they had approved would have housed the number of people that would need 500 spaces. Mr. Brown stated the building proposed was to house 650 people; but at this point in time, they already have an average attendance of 750 to 800 so they need to have more than one worship service on a Sunday morning. Mr. Brown stated they will still have to carefully manage the parking.

Mr. Smith stated the Zoning Hearing Board may suggest that they consider separating the Services more so that they can eliminate the overlap problem in the parking lot. Mr. Brown stated they have done this over the past six weeks and still find that people are staying longer following the first Service.

Mr. Zachary Rubin, 1661 Covington Road, stated he attended the Planning Commission meeting when this was presented and it was noted that they also have Bible study and classes as well as people attending the Services on Sundays. He stated the Planning Commission also noted that while this occurs on Sunday, for the six other days it will not be filled up; and the Planning Commission suggested that the outer perimeter of the additional parking lots be made of materials other than asphalt that would be a permeable surface. Mr. Brown stated they are very receptive to this.

APPROVE CERTIFICATE OF APPROPRIATENESS

Mr. Stainthorpe moved, Mr. McLaughlin seconded and it was unanimously carried to grant a Certificate of Appropriateness to replace flat roof material on the rear of the dwelling located at 1760 Yardley-Langhorne Road.

WITHDRAW CONSIDERATION OF O/R DISTRICT ZONING AMENDMENT

Mr. Truelove stated a number of weeks ago there was discussion on a proposed O/R District Amendment to the Zoning Ordinance which would have permitted a height increase combined with increased setback. He stated the EAC and Planning Commission closely reviewed this with the EAC in favor and the Planning Commission adamantly opposed; and due to the divergence of opinions, he would recommend that since there is no urgency for this particular matter that they not pursue the Amendment and they review it again in the future if appropriate.

ZONING HEARING BOARD MATTERS

Mr. Truelove stated Mr. Edward Murphy, attorney, is present on behalf of First Federal of Bucks County which is requesting Variances to install signage at its branch located on the northwest corner of Stony Hill and Langhorne-Yardley Roads. Mr. Truelove stated the matter is scheduled to be heard by the Zoning Hearing Board at their meeting on February 15. Mr. Murphy stated this is at the Edgewood Crossing project referred to earlier this evening by Ms. Farrell with regard to the sewers. Mr. Murphy stated this is the proposed pad site Ms. Farrell mentioned which has the ability to move forward with a holding tank.

Mr. Murphy stated First Federal has a significant presence in the Township and last May they acquired an office building in Floral Vale where they have relocated their sales and administrative offices with twenty-five to thirty full-time employees at that location. He stated they had advised the Board last year when the sale was imminent, that First Federal had wanted to expand their presence by having a branch in the Township.

Mr. Murphy stated this will be in Edgewood Crossing, and they have an Application before the Zoning Hearing Board seeking relief from certain provisions of the Sign Ordinance. He stated a sign package was provided to the Board with the Application. Mr. Murphy stated before they submitted the Application he did speak with Mr. Carter VanDyke who wrote the TND Overlay that is impacted in this Zoning District, and they did get guidance from him as to the look of the signs. Mr. Murphy stated they recognize that they still have to go to HARB once they get through the Zoning Hearing Board.

It was agreed by the Board to leave this matter to the Zoning Hearing Board.

Mr. Smith asked when they anticipate the Bank will be open; and Mr. Bob Kauffman, Senior Vice President stated they hope to begin construction in early spring and open in August or September.

SUPERVISORS REPORTS

Mr. McLaughlin reported on upcoming Veterans' Committee fundraising events. He stated they have raised approximately \$90,000 toward their goal.

Mr. Caiola stated the Citizens Traffic Commission discussed the Flowers Field project and last year's safe driving event and how they could get more parents out to that event in the future.

REPORT ON 2010 DEER PROGRAM

Mr. Fedorchak stated the 2010 public hunt program is concluded, and the last day of the hunt was January 29. He stated BOWMA reported that they harvested ninety-seven deer from late September to January 29. He stated BOWMA contributed thirty of the deer to the Share the Harvest Program which equals approximately 2,000 meals for the needy.

Mr. Stainthorpe asked if there has been any change in the number of car/deer accidents versus two years ago. Chief Coluzzi stated he feels it is too early to make this determination although he has seen some reduction. Mr. Stainthorpe stated he feels they must continue the program and minimally for next year do the BOWMA program again; but he feels that if it is determined that there has not been any real impact, they may have to consider bringing back the sharpshooters.

Mr. Smith stated they harvested only a little less this year than they did last year when they had the combination sharp shoot/public hunt, and it was significantly less money this year using only BOWMA. He stated he agrees they need to continue the program, but he feels they should proceed without the sharp shooters. Mr. Smith stated he would like to know the impact the hunts have had on the Five Mile Woods over the last two years as one of the reasons they instituted the program was to help save Five Mile Woods.

Mr. John Heilferty, Five Mile Woods Naturalist, was present and stated this initiative was started because of concerns with the Five Mile Woods along with concerns about deer/car collisions. Mr. Heilferty stated he agrees with the Chief that it is too soon to tell if there has been a positive impact. He stated they do have several deer exclosures in the Woods which deer cannot access, and they will need to erect more of these to see the impact from the deer management program. He stated the deer exclosures they do have up did a good job of showing that over eight years, with no other deer management occurring on the property, there was a significant difference in those exclosure areas with vegetation coming up in those areas that was not able to grow in the areas of the Woods where the deer had access. He stated they have not had the time, money, or the manpower to put up more exclosures since they started the deer management program.

Mr. Heilferty stated there is also the question of whether archery alone is sufficient to manage the problem. He stated the first year, they did both a sharp shoot and archery hunt but both groups had to operate under difficult circumstances. He stated this year could be used as a way to analyze the efforts under a stand-alone archery program. He stated he was not advised of the number of deer culled from Five Mile Woods. Mr. Fedorchak stated they harvested six deer from Five Mile Woods. Mr. Heilferty stated he did request that BOWMA have as slight a footprint as possible because unlike the other properties, Five Mile Woods is managed specifically for the protection of the natural resources and is a publicly-used property.

Mr. Smith stated because of the difference in cost, he does feel that they should use the less expensive program so that there is minimal cost to the Township.

Mr. Stainthorpe stated eventually they need to see some data as to whether or not there has been a reduction in deer/car accidents and that there has been improvement to the Five Mile Woods. He stated he feels that Upper Makefield did see a significant reduction in car/deer accidents, and this is what he would like to see for the Township. He stated while he does not want to spend a significant amount of money, if they are not getting the results they need with just archers, they do need to consider other things, although he does not feel they have to do it in 2011.

Mr. Caiola stated while he was a supporter of the sharp shoot, he feels proceeding with BOWMA this year would be a good idea; and the Township will then have another year of data to see the results. He stated if they do not see the results they want, they can consider if they should do something else. He stated they did not do the sharp shoot in a large area.

Mr. Smith stated some residents from the Maplevale development had expressed concerns about safety prior to the start of the archery hunt, and he asked if there were any problems during the hunt. Mr. Fedorchak stated there were absolutely no accidents or incidents of any kind during the hunt. Chief Coluzzi stated the program was very well managed, and there were no complaints.

Mr. Fedorchak stated he feels that if they consider a sharp shoot in the future adding he does feel they should consider this in the future, that the Township should engage a local company for the sharp shoot provided they can find a qualified local company. He stated with respect to the billing from White Buffalo a considerable amount of the \$40,000 paid was for mobilization expenses – transportation and lodging costs. He feels those costs were approximately \$12,000 to \$15,000.

Mr. Heilferty stated some of the advantages to using sharp shooters were not fully realized because they did not have a lot of sites, and he would not want the Township to discount this option. He stated he does feel that BOWMA has demonstrated that they can safely hunt a multitude of sites in the Township at little cost to the Township, but he questions if what they have done is enough. He asked that if they are going to consider a sharp shoot in the future, that they look at the whole deer management season so they can ask the archers to hunt in a manner that will not be disruptive to follow-up sharp shooting which was one of the criticisms they faced from the contractor when they did have a sharp shoot.

Mr. Smith asked that the Township send out a thank you for a job well done to BOWMA.

Ms. Virginia Torbert, Citizens Traffic Commission, stated on the Township accident reports they are showing deer/vehicle incidents and she feels these are really based on someone calling the Police Department and saying that they hit a deer or almost hit a deer. She stated she does agree that they need more data, but questions what they are using as their base line. She stated she has looked at the accident data and there are very few deer/car collisions that result in injury. Chief Coluzzi stated he does not know the amount of deer/car collisions that result in actual injury to a person, but there were approximately 116 incidents when deer were struck in 2009 when the program was started. He stated there is the potential for very serious injury. He stated there are also incidents when there are deer dead on the highway and the vehicles leave the scene, and these are not reported in the actual accident data.

Ms. Torbert stated the Citizens Traffic Commission has started to look at this data. She stated she does not feel deer/vehicle collisions are a huge issue in the Township compared to other Townships. She stated in all of Bucks County, Lower Makefield had one of the fewest number in terms of the carcass reports. She stated she does not feel all the reports made to the Police have been verified by the Police. Chief Coluzzi disagreed and stated every accident that they report is an actual deer/vehicle accident. He stated there are dead deer on the highway; and they feel it is reasonable to assume that given the position of the deer on the highway that it was struck by a vehicle, and while this is not in the accident data, it is an additional deer/vehicle incident.

Mr. Smith suggested that Ms. Torbert discuss this with the Animal Control Officer as well.

UPDATE ON SATTERTHWAITE AND MOTION TO AUTHORIZE SOLICITOR TO DRAFT CONDITIONS FOR POTENTIAL SALE OF THE PROPERTY

Mr. Majewski stated the Plans have been sent to the various Township officials and the Bucks County Planning Commission for their review. He stated once the Township gets that review back, the matter will come before the Planning Commission and then before the Board of Supervisors.

Mr. Stainthorpe moved and Mr. Smith seconded to authorize the Township solicitor to draft Conditions for the potential sale of the property.

Ms. Virginia Torbert stated she assumes that the Board of Supervisors is not willing to proceed with the Resident/Curator Program, and Mr. Stainthorpe stated he personally is not willing to give this any more time. He stated if a Resident/Curator were to come forward in the very near future with a plan that makes sense, he would be open to it. Ms. Torbert stated she understood that the solicitor was going to research the Resident/Curator Program in addition to the sale. Mr. Truelove stated they have done this and worked with the Museum Commission and a number of other agencies, and they received very little if any positive response on possibilities for this. He stated according to the information they have been provided it has not been successful in the Commonwealth, and they were not encouraging. Ms. Torbert asked if they have any indication that the veterinarian that is interested in the property would be interested in a Resident/Curator Program, and Mr. Truelove stated this is something they could discuss with her when the time comes.

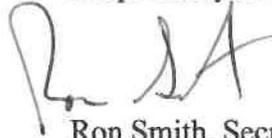
Motion carried unanimously.

February 2, 2011

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There being no further business, Mr. Stainthorpe moved, Mr. McLaughlin seconded and it was unanimously carried to adjourn the meeting at 9:40 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. Smith', written in a cursive style.

Ron Smith, Secretary