

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – JUNE 20, 2007

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on June 20, 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 Engineer
 James Majewski, Township Engineer
 Kenneth Coluzzi, Chief of Police

PUBLIC COMMENT

Mr. Scott Burgess, 15 Glen Drive, thanked the Board and Mr. Majewski as he has been advised that the backflow preventers have arrived. He asked that he be advised when they will be installed. He stated there will be a meeting of RAFT tomorrow evening at 7:30 p.m. at the Township Building, and they will have someone from the Delaware River Conservancy showing a power point presentation on the effect of the New York City reservoirs on the lower Delaware River. All are invited to attend. Mr. Majewski noted the Public Works staff will be installing the backflow preventers.

Ms. Jean Bray, 12 Terracedale Road, stated the first Farmers' Market was held last Thursday. She thanked all those who helped make it a huge success. She stated approximately 400 people attended. Mr. Smith stated he feels the event provided a sense of community, and he hopes it will continue to be successful. Mrs. Godshalk noted concerns with parking on the grass and stated since the Church has given them permission to park in their lot, she feels this is where those attending, other than the vendors, should park. Chief Coluzzi stated Captain Roche did express concern with people parking across the street and the necessity of people crossing over. He suggested that they have a Police Officer or Explorer on site to help with parking. Mrs. Bray stated Mr. Bray will have additional parking help tomorrow evening as well.

Ms. Paulette Carobelli, 2 Springtree Lane, stated she is very concerned about the problem with deer in the Township. Mr Smith stated they will have a report on deer management

later this evening. She asked that a deer crossing sign be put up on Black Rock Road going down the hill just before the Canal. Mr. Stainthorpe stated he feels they could put up such a sign next week. Mr. Fedorchak agreed to work on this.

Mr. George Schott, 652 Leslie Lane, stated he is still concerned about train noise and feels no progress has been made on the wayside horns and quiet zones. He stated on November 15 they agreed to pursue wayside horns and filing a Notice of Intent with the Federal Railroad Administration for quiet zone status. He stated the Notice of Intent was never filed because the Federal Railroad Administration was re-evaluating the criteria by which they judge intersections to be eligible for quiet zone status. He stated the results were posted the end of March, and the three intersections which were being considered still qualified. He stated CSX has informed that in order to get the quiet zone status, it would require an upgrade of circuitry at all three intersections at a cost of \$50,000 to \$200,000 per intersection plus the cost for engineers. He stated while this is expensive, he feels there would be a way to raise funds for this. He stated he does not feel there is any reason why nothing was pursued with respect to the wayside horns. He stated he feels there has been very little progress on both of these issues since November, and he would like to have this matter added to the next Agenda.

Mr. Fedorchak stated they filed the Notice of Intent approximately one month ago for the quiet zones. Mr. Majewski stated with regard to the wayside horns, he has been in discussion with one of the manufacturers who had advised them of some of the errors in data they initially received from CSX on the train circuitry. Mr. Majewski stated they asked that manufacturer if they would be willing to come to the Township to provide a demonstration; but since they are in Texas, they are unwilling to do so. He stated they asked where the nearest horns they had were located, and they stated there are none in the northeast section of the United States. He stated they were able to get cost estimates from them, and he feels they were approximately \$150,000 per intersection plus you still have to upgrade the circuitry which is the cost noted by Mr. Schott of \$50,000 to \$200,000 per crossing.

Mr. Santarsiero asked if there were any other manufacturers other than the company in Texas which would be closer, and Mr. Majewski agreed to look into this. Mr. Smith asked for an estimate to do all three intersections, and Mr. Majewski stated he feels it would be \$600,000 to \$800,000.

Mrs. Godshalk asked about the fourth crossing at Township Line and Big Oak Roads, and Mr. Schott stated at the November meeting, Mr. Majewski indicated that it would not qualify. Mr. Majewski stated since Big Oak Road comes in at such a sharp angle to Township Line Road, they could not meet the criteria to install center line medians to divert traffic and still accommodate a left hand turn heading north to turn on Big Oak Road. He stated the intersection is also jointly owned with Middletown Township.

Mr. Smith stated he feels they should put this matter on a future Agenda for an official update. Mr. Santarsiero stated prior to it being on the Agenda he feels they should see if there are other manufacturers of the wayside horns and if so see if they could come out and give a demonstration and provide an estimated cost. Mr. Majewski stated he feels they will have comments back on the Notice of Intents by August. Mr. Schott agreed to provide his contact information to Mr. Fedorchak.

Mr. Jim Bray stated they will make sure that the customers at the Farmers' Markets park on the gravel area, they will rope off the bottom field so that people do not park in that area, and they will install "No Parking" signs. He stated they would appreciate help from the Police Department and he will have someone helping him tomorrow evening as well. Mr. Bray stated he made a presentation to the Warrington Township Environmental Advisory Council a few weeks ago on the Township's Low Impact and Native Plant Ordinances. He stated they are now seriously considering like Ordinances for their Township which is experiencing significant development. He feels Lower Makefield is providing a model for other Townships. He stated the issues are regional in scope; and if they can get others in the area involved, this will make what they have done worthwhile.

Mr. Don Lex, 106 Vernon Lane, asked about the status of 110 Ovington Road where there was a landfill operation. He stated he was under the impression that it was to be restored to its previous condition. Mr. Majewski stated a Permit has been issued, and the owners of 110 Ovington will be setting up a pre-construction meeting with the Township and the Bucks County Conservation District. The work will be started sometime in the next month. They will remove the fill that will get them back in compliance with the Zoning Ordinance.

APPROVAL OF MINUTES

Mr. Caiola moved, Mr. Santarsiero seconded and it was unanimously carried to approve the Minutes of June 6, 2007 as written.

APPROVAL OF JUNE 6, 2007 AND JUNE 20, 2007 WARRANT LISTS AND MAY, 2007 PAYROLL

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to approve the June 6, 2007 and June 20, 2007 Warrant Lists and May, 2007 Payroll as attached to the Minutes.

DISCUSSION AND MOTION ON YMS PROPOSAL FOR ARTIFICIAL TURF FIELD AT MACCLESFIELD PARK

Mr. Roger Deininger, President, Yardley-Makefield Soccer was present with Mr. Mike Dimaio and Mr. Dennis Wysocki. A packet of information was provided to the Board this evening.

Mr. Smith stated he was the past President of YMS, and he had asked the Township Solicitor if he needs to recuse himself from these discussions; and Mr. Truelove stated he did not feel it was a violation of the Ethics Law as Mr. Smith was not deriving any personal benefit from this, and he feels Mr. Smith could participate.

Mr. Deininger thanked the Board for the opportunity to present their request for a turf field. He stated this requires no financial assistance from the Township and will be 100% funded by YMS. Mr. Deininger stated because they have excess use of the fields at Macclesfield Park, the fields are in poor condition as the fields do not have time to recover. They would like approval from the Township to install a turf field. He stated their demand has greatly increased, and YMS has more than 1,800 participants. He stated they have 700 within their Travel Program playing on 48 Teams. These teams practice twice a week for one and half hours each time. He stated there are problems with the natural fields for quality training because the condition of those fields is currently poor. He stated the Township needs to annually re-seed, has done sod installation, aerating and rolling the fields, and have tried to limit the use by staying off certain fields in hopes of saving them. He stated this results in the fields they are training on deteriorating beyond recovery.

Mr. Deininger stated they would like to convert one of the soccer-permitted fields to a turf field. He stated these fields are a grass like polyethylene and a sample was shown. Mr. Deininger stated the turf surface is durable and provides a safer playing surface than a natural grass field. These have become mainstream with many Township and soccer clubs going to turf fields. He stated the surface can endure heavy use and permits them to save the other fields by moving as much training as they can to the turf field.

Mr. Deininger stated the Township could save \$3,000 to \$4,000 per year which is the estimated cost to maintain a current soccer field which would not be required for the turf field. He stated there is very little maintenance required, and this surface also mitigates weather conditions. Mr. Deininger stated the turf field will be a littler larger than a regular field so that they can use it for more than one team at a time for training. Some pictures of facilities using a turf surface were shown.

Mr. Deininger stated they would like to install the turf on Field C at Macclesfield Park because it is a permitted soccer field for YMS and is not a multi-purpose field. Field C also has lights and the ground is generally level. This field is also removed from a lot of

the other fields and will not disturb the rest of the Park during construction. He stated they would like to fence in the area around the turf field. Mr. Deininger stated the total cost for installation would be \$750,000 including the fencing; and YMS will make a down payment along with taking on some reasonable debt. They plan to fund it through loans, corporate sponsorships, advertising signs, and other Club fundraising.

Mr. Deininger stated with respect to the loans, their Region has available financing for soccer clubs and organizations to promote soccer, and they make low-interest rate loans available to soccer clubs who want to improve or enhance their current facilities. He stated they have been awarded a sizable loan at a low interest rate which will help them maintain their debt program. They are also looking to local banks as well as corporate sponsorships. Currently Adidas is their corporate sponsor, and they are in further discussions with them as well as others once they move forward with the project.

Mr. Deininger stated with respect to advertising, they would propose what PAA has with signs around the inside of the fences. Mr. Deininger stated YMS currently has socials, camps, and runs two large Tournaments which are rated extremely high in the Country and are very well attended. He stated those two Tournaments will be the basis for their fundraising which will allow them to move forward with the payments for the turf field. For the past three years, they have been using some of those funds to build up their balances for this project.

Mr. Smith asked that Mr. Deininger elaborate on the Tournaments. Mr. Deininger stated the Columbus Day Tournament is a Boys' Tournament. It was started in 1990 with 55 teams in attendance, 20 of which were YMS. Now they have 285 teams ranked Nationally at the Platinum Level which is the highest level a soccer tournament can receive in the United States. Teams come from all over the Country and Canada. He stated the Girls' Tournament is a Gold Level Tournament with over 190 teams attending. Mr. Smith stated most people in the Country who are involved with soccer know where Lower Makefield is located.

Mr. Deininger stated YMS would like a twelve-year exclusive user Permit and would be willing to install a new turf field after that time. The cost would be less as the foundation would not need to be replaced. They would also like permission to market and sell signage around the turf field. He stated YMS has twelve Board members, all of whom are Lower Makefield residents. He stated the Board would do nothing to jeopardize the Club, their players, or their relationship with the Township; and they are looking for the approval of the Board of Supervisors.

Mr. Stainthorpe thanked them for an outstanding presentation. He stated he has no problem with the advertising. He asked about the status of their negotiations with Adidas, and Mr. Deininger stated Adidas has been their sponsor for three years. He stated they do not give cash, but they do give merchandise which they allow them to re-sell at a substantial mark up. They also donate merchandise to them for their use such as balls so that these items are not an expense for the Club. They are also talking to them

about this project and getting money outright as well adding if this does not occur, it would not stop the project. Mr. Stainthorpe stated if they were to donate a sizable sum, he would have no objection to an Adidas logo on either part of the field. Mr. Stainthorpe stated he would like to understand the risk to the Township. He stated it appears that this would be 100% funded as outlined by Mr. Deininger, but he would like to insure that if it does not work, this would not be the responsibility of the taxpayers. Mr. Deininger stated their expected down payment would be \$200,000 to \$250,000. They already have a 5% loan from Region 1. The other \$250,000 which remains open is what they are working on with the various vendor banks. He stated the Tournaments, which are their largest fundraising event, are subject to weather such that if the Tournament is rained out, you must return the Registration Fees; but there is now insurance that can be purchased up to the amount of the registration revenue, and you can then give back the Fees if the Tournament is rained out, but the Club would still be guaranteed the revenue through the insurance premium. He stated the Tournament revenue can be \$60,000 to \$80,000 between the two Tournaments.

Mr. Santarsiero asked if Region 1 will require a security interest, and Mr. Deininger stated the security was done through EPYSA, which is the State Association; and they had to guarantee YMS being a Club in good standing within the Organization, so there is not a security interest in the land.

Mr. Stainthorpe asked the length of the loans, and Mr. Deininger stated they are looking at ten years, but they feel the revenue may permit them to pay it off in six to seven years. They want to start building up funds again for the twelfth/thirteenth year when they have to refurbish the field. Mr. Stainthorpe stated they are requesting that it be permitted to YMS for twelve years, and he asked if anyone else plays on it currently other than YMS. Mr. Deininger stated no one is currently although Pennsbury has occasionally used it for night games in the fall. Mr. Stainthorpe stated provided the financing is solid and will not become a burden to the taxpayers, he has no objection.

Mr. Smith asked Mr. Deininger to discuss how long YMS has been in existence, and Mr. Deininger stated the Club started in 1979 and financially the Club is solvent. He stated in the past they allowed the Travel Teams to keep 100% of the Tournament money to help defray Travel Soccer costs which are very expensive. He stated all of their Tournaments are worked by the parents and coaches, and it is all volunteers. He stated they would now be looking to take a substantial amount of the Tournament money to help offset the cost of the turf field, although some Tournament money would still go to the Travel Teams as an incentive to work the Tournaments. The membership was unanimously in favor of making this sacrifice.

Mr. Caiola asked if this will be used for training for Travel and In-House players, and Mr. Deininger stated this would primarily be for the Travel Program. He stated the In-house program does not currently play on Field C. He stated they will have a \$25

increase in Travel Registration as further revenue and based on their numbers, this will result in over \$17,000 in additional revenue per year. Mr. Caiola asked if there is a history of exclusivity for use of a field; and Mr. Truelove stated he feels Ms. Liney would be the person to answer this, but he feels it is related to membership levels which drives the process and Field C is probably exclusive because of the number of YMS participants. He stated he feels built into the Agreement would be that provided they maintain numbers of membership at a certain level that could support exclusive permitting as long as other fields are available for other groups, this would be appropriate.

Mr. Smith stated when he was on the Park & Recreation Board there was a concern when you had different organizations using the same field, that you were wearing out different parts of the same field and it was a maintenance concern. They therefore tried to separate the fields depending on the organization such that Football generally had Fields E and G, and Soccer traditionally had C and D. He stated due to the Soccer numbers, they were also allowed to utilize the Football fields once the Football season was over despite the condition of the fields.

Mr. Caiola stated he assumes there will not be access to the turf field when it is not in use because there will be a fence, and Mr. Deininger agreed. He added their biggest fear is the potential for someone driving a car across the field.

Mrs. Godshalk asked about the fencing, and Mr. Deininger stated it would be a 4' to 5' high black nylon, chain-link fence. They were not going to lock it although there would be gates. He stated spectators would remain outside of the fence during Games.

Mrs. Godshalk expressed concern with people using the field who do not have a Permit, and Mr. DiMaio stated there is the possibility that someone could go on the field when they are not using it, but real damage could only be done to it with a car or some other malicious intent. Mrs. Godshalk asked about the maintenance required, and Mr. DiMaio stated YMS has a tractor, and the turf company provides them with a brush to sweep the field.

Mr. Smith asked when they anticipate installation. Mr. DiMaio stated they would start the Monday after their Columbus Tournament, and it is expected that it would be done by the beginning of December.

Mr. Santarsiero asked about the subsurface, and Mr. DiMaio stated they would take out the topsoil, install a fabric and bring in stone and drainage pipes around the perimeter to guide it to the existing detention basins. They then cover it with fine gravel to level it, compact it, and roll out the carpet. There is also a curb around the perimeter to which the carpet is attached. The life span is twelve years, and they foresee replacing it after that time.

Mr. Santarsiero asked if Region 1 requires that the Township gives YMS an exclusive Permit, and Mr. DiMaio stated they do because YMS does not own the ground and there is no collateral. Mr. Santarsiero stated he is concerned with what they might require “exclusive” to mean. Mr. DiMaio stated Pennsbury High School has used the field three to four times a year, and he does not feel YMS would not allow them to use it for a night since most of their players are on that Team. Mr. DiMaio stated they would not have to clear this through Region 1, and they would handle this locally. Mr. Deininger stated most of the players on the Pennsbury Team are YMS players. Mrs. Godshalk stated she feels something about this could be included in the Agreement. Mr. Stainthorpe stated he feels YMS does need some exclusivity since they are making this investment. Mr. Stainthorpe asked who would own this, and Mr. Truelove stated he feels this would be a Township-owned facility with a Lease with specific Lease provisions and obligations flowing from YMS to the Township including indemnification. He stated if there was a Motion he would ask that it be subject to legal and engineering review.

Mr. Stainthorpe moved and Mrs. Godshalk seconded to approve contingent on adequate financing and working out a Lease Agreement as required by the Solicitor with the provisions requested by YMS including the twelve-year exclusive user Permit and permission to market and sell signage in and around the field.

Mrs. Godshalk asked if there would be a fund for upkeep and repairs beyond normal use so that the Township will not be responsible for this, and Mr. Deininger stated there would. Mr. Smith stated in terms of financial responsibility, he feels they can recognize the long-standing fact that YMS is financially responsible.

There was no public comment, and the Motion carried unanimously.

A short recess was taken at this time. The meeting was reconvened at 8:55 p.m.

DEER MANAGEMENT REPORT

Mr. Bryon Shissler, Natural Resource Consultants, Inc., was present with Mr. John Heilferty, the Five Mile Woods Naturalist.

Mr. Smith stated nothing will be voted on this evening, and they will have at least one other meeting to discuss this matter further. He stated Mr. Shissler will be making his presentation, and they will then make his report available to the public at the Township Building and on the Website.

Mr. Shissler stated while deer are an asset to the community, there are ecological, economic and human health issues when deer become overabundant. He stated they

define overabundance as when deer limit the abundance or occurrence of another valued resource or interfere with some valued ecological process or human activity. He stated while deer were previously held in check through predation, they now have no predators in this area. He stated the goal of the Deer Management Plan is to maintain white-tail deer as a valued component of Lower Makefield Township's native fauna while implementing a restoration plan for mimicking the population stabilizing effects of natural predation on deer. Another goal is 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 within the Township, reduce deer-human conflicts particularly deer-human collisions and agricultural, ornamental, and garden damage, and finally to manage deer in a safe, humane, and socially-responsible manner, and to establish a permanent, quantitative monitoring program to assess deer impacts on the forest eco-systems.

Mr. Shissler stated Lower Makefield Township represents the most-challenging situation in which to manage deer as in most landscapes, deer are managed using recreational hunters. He stated it is particularly challenging in Lower Makefield because the community is nearly built out and each of the homes has a safety zone from firearm hunters of 150 yards which is 16 acres for the average home. He stated hunters may not enter that area without the permission of the landowner and typically they need the permission of eight to twelve landowners around an area. He stated an additional problem is that much of the open space is open agricultural fields and hunters are very ineffective in those environments since as soon as a hunter walks out into the open area, the deer disappear. He stated these fields also provide very good nutrition for the deer. He stated Lower Makefield is a suburban forest; and in the older communities, there are a lot of areas which are canopied with healthy under stories which is very good deer habitat. He stated there is also good conductivity which means deer can easily move around the Township. He stated the existing non-residential forests are also small and fragmented and are surrounded by homes. He stated there is also little tradition of hunting in the community. He stated the deer also learn areas within their home range where hunters cannot legally hunt, and they avoid the areas where hunters can legally hunt during daylight hours.

Mr. Shissler stated if nothing is done, the deer population will continue to grow. He stated fertility control is often an option, but the Township is not a good candidate for this. He stated this is also true for recreational hunting which could be pursued as a recreational activity, but will not solve the deer problem. He stated they have recommended sharp-shooting with some specifics. He stated sharp-shooters have to avoid learned behavior among the deer, and they would recommend independent compliance and effectiveness monitoring. He stated they would also suggest removing deer annually in perpetuity and suggest looking for a contractor who would initially do the removal themselves but then train local people as to how to do the removal. This will also control costs as there are many hunters who have the skills to do this provided they

are given training, and they are often willing to do it at no cost. He stated they also suggest focusing the first year on the larger blocks of Township-owned land as opposed to attempting to do the entire Township the first year.

Mr. Shissler stated in order to control Lyme disease, they need to reduce the tick numbers. He stated if they are going to address the deer impact on the forest eco-systems, they need to take the deer down to levels which may interrupt the cycle of Lyme disease, and they will see the tick population drop dramatically.

Mr. Shissler stated compliance monitoring is a formalized process to document that the treatments agreed to in the management monitoring program are being applied as designed. They strongly recommend this since if they find two years into the program that it is not producing the results they want, they need to know if this is because the contractor has not followed the design or if it is because the design needs to be modified. He stated Police Departments often play a part in monitoring the actual removals to make sure they are complying with the program.

Mr. Shissler stated they would recommend six exclosures in the Township to look at deer impacts on forest eco-systems. They can also look at the number of cases of Lyme Disease there are in the Township to see if there is a reduction.

Mr. Caiola asked why an infertility program would not work in Lower Makefield. Mr. Shissler stated there are no products which can be used in the State of Pennsylvania without capturing the deer, tagging it, and then releasing it after it is injected. He stated this is because in Pennsylvania, if you find a dead deer, you may take it home, butcher it and feed it to your family; and there are no products approved for human consumption. He stated if you are going to inject the deer, the public needs to know that they have been injected with products that are not approved for human consumption. Mr. Shissler stated in Lower Makefield they would need to treat approximately 70% of the females. He stated they are trying to reduce reproduction and allow the deer to disappear from other mortality factors; but more deer can then move into the community which overwhelms this process.

Mrs. Godshalk asked if there are studies to determine how many ticks are in a certain area noting she understands that the mice are really the problem. Mr. Shissler stated the reservoir for the source of Lyme Disease is in mice, but in reality 90% of all the ticks will attach to white-tail deer which are the primary host for the adult female ticks. He stated when you drop the deer population, the tick population will crash.

Mr. Smith asked how many cases of Lyme Disease have been reported in the area in the last few years; and Mr. Shissler stated southeastern Pennsylvania is at epidemic levels, and they are second in the Country for new cases of Lyme Disease. He stated he does not have specific information for Lower Makefield Township although it is a reportable

reportable disease with the CDC so those numbers should be available. Mr. Smith stated he would like to know how many cases of Lyme Disease have been reported in Bucks County in the last five years. Mr. Shissler stated because it is a reportable disease, they have strict guidelines as to what qualifies, and physicians will advise that the actual number of patients is actually much higher.

Mr. Santarsiero stated Mr. Shissler indicated he is recommending sharp shooting, and for the first year he recommended that it be done in a more limited geographical basis. Mr. Santarsiero stated in the report he identified fifty sites throughout the Township which could be potential sharp-shooting sites. He noted the aerials of the Township which were provided showing hunting safety zones, and asked if those hunting safety zones are contiguous with the fifty sites Mr. Shissler has discussed. Mr. Shissler stated they are not. He stated under a deer control Permit, there are no safety zones. He stated under a sharp-shooting Permit, the deer are typically removed at night very unobtrusively with suppressed rifles. Mr. Santarsiero asked how they would insure safety of the residents while this occurs. Mr. Shissler stated they recommend that the sharp shooting be done at pre-determined sites where the shooter is elevated and there is a backstop with a clear sight line to the area where the deer are being removed. He stated they have never had anyone injured during such a controlled situation. Mr. Santarsiero stated he understands that this would occur over a number of months and that the Permitted time according to the State begins February 1. Mr. Shissler stated because these removals are viewed as potentially in conflict with recreational hunting, normally the Permits start after the close of the last legal recreational season so they typically run from February through October. He stated normally there are multiple bait sites and typically there is one shooter with a crew who follows the shooter and recovers carcasses so that they can be processed and all the meat is utilized. He stated the shooter will move from one site to another through the night removing deer; and one shooter may remove dozens of deer in a single night.

Mr. Santarsiero stated Mr. Shissler discussed processing costs in his report which seemed to be fairly high and asked if these costs are usually absorbed by the contractor. Mr. Shissler stated the contractor does not absorb the costs although there are programs with hunters sharing the harvest paying the fee for the processing of meat as there is a big demand for venison. He stated the other option is to charge those who receive the venison for the processing costs.

Mr. Smith asked how many deer would have to be removed the first year to make it successful; and Mr. Shissler stated during the first year they are tackling a limited amount of area, and they would suggest requesting 200 Permits the first year. He does not know how many deer are in the Township. He stated they could find this out although it is expensive to do so. Mr. Santarsiero stated he did discuss in the report a goal of a 75% reduction. Mr. Shissler stated if they are going to protect Five Mile Woods, they would want to take deer down to relatively low levels. He stated the only population counts they have are for Five Mile Woods where there over 100 deer per square mile; and for

that area they would recommend a very substantial reduction because for those Woods to recover, they would prefer to see less than 20 deer per square mile.

Mr. Stainthorpe asked the estimated cost, and Mr. Shissler stated he does cite costs in the report. He stated if they are hiring a contractor, costs will run \$100 to \$400 per animal for the removal. If they train local people, which is what they encourage them to do, this would reduce the costs. Mr. Stainthorpe asked how they would find the contractors, and Mr. Shissler stated he could provide a list of contractors. Mr. Stainthorpe asked when they would need to make a decision if they wanted to do something in the near future, and Mr. Shissler stated they must give the Game Commission time to process the Permit and feels they should make their Application by September.

Mr. Smith stated Mr. Shissler indicated that archery was a poor option; and Mr. Shissler stated it is very difficult for archers to remove deer in suburban environments where there is abundant areas of refuge for the deer; and in fact they have not been able to find a single published study that shows that archers in these kinds of environments have been successful at reducing deer populations they would need to be to meet their goals. He stated last year in Pennsylvania, archery hunters killed more buck than doe and you cannot control deer population by killing more buck than doe. Mr. Smith stated at a prior meeting there was a gentleman in attendance who represented an archery group which was willing to come in to do this for free. Mr. Shissler stated this is a difficult subject for a number of interest groups and is an issue to be taken seriously. He stated the challenge with recreational hunting is that there is a lot of learned behavior on the part of the deer; and while they have used archery hunters on a number of properties, he has had archery hunters advise him that they have killed all the deer and when they do an infrared flight, they find there are a significant number of deer left. He stated deer learn to avoid those hunters during daylight hours when they are allowed to hunt and come out at night when the hunters are no longer there. He stated this then makes it more difficult to remove the deer by the sharpshooters because they are educating deer. He stated they may still want to provide recreational hunting, but it will not reduce the population to the levels they desire.

Mrs. Godshalk stated she has received phone calls from people who have neighbors who are feeding deer, and she asked if there was a way to put in legislation that would prohibit people from feeding deer. Mr. Shissler stated Princeton has passed such an Ordinance. He stated they did it to facilitate their ability to remove deer using sharpshooters as the feeding sites drew deer away from the sharp shoots.

Mr. Zachary Rubin, 1661 Covington Road, stated with regard to contraception, he understands the Game Commission regulations in Pennsylvania require that you must capture, tag, mark, and release; and Mr. Shissler stated this is not specifically a Game Commission regulation but is Food and Drug. He stated the Game Commission does not have a public policy at this point on the use of fertility control. Mr. Rubin stated in

Pennsylvania in order to simply dart a doe with a contraceptive, this would be a Federal Regulation that would have to be changed; and Mr. Shissler stated currently there are experimental drugs, one of which has moved to EPA which may release it as a product that could be consumed by humans after animals have been injected, but at this point you must capture and treat. Mr. Rubin stated if this is approved, they could simply dart and the costs would come down, and Mr. Shissler agreed. Mr. Rubin stated he feels the question in the Township is the safety of the residents, and he feels people feel bow and arrow would be a safer way of controlling deer than using a rifle. He asked why an experienced archer would not know the difference between a doe and a buck. Mr. Shissler stated in many situations they do know the difference, but there is not a single case where you can show where archery hunters in a landscape like exists in Lower Makefield have been effective at reducing deer down to the levels that are compatible with the Township's goals. Mr. Rubin stated Solebury Township recently Budgeted \$250,000 to reduce their deer population and asked if they have 100 times more deer than Lower Makefield. Mr. Shissler stated they are not suggesting that the Township will solve their problem for \$20,000 but are suggesting that it costs \$100 to \$400 to remove deer, and they are suggesting 200 Permits the first year. Mr. Rubin asked the commercial value of deer venison. Mr. Shissler stated it is illegal to sell venison as a commodity if it is taken from the wild. He stated venison is a valued meat; and while he is not certain of the current price, a number of years ago it could sell at a farm for \$9 to \$12 a pound. He stated the animals belong to the people of the Commonwealth; and while the Game Commission gives you a Permit to remove them, under the law, it is illegal to sell the meat.

Mr. Sam Conti, representing the Farmland Preservation Corporation, stated they had a contractor present in December who submitted his proposal for deer control. Mr. Conti stated he gave the Board of Supervisors a letter on January 2 on the presentation made by Mr. Joe Arden of Tree Top Sportsmen, which is a non-profit archery company. The only expense he proposed to be charged to the Township if he was the contractor was \$1,000 for insurance for the archers who would be used in the program to control the deer. Mr. Conti stated he feels Mr. Arden is entitled to make a presentation to the Board. He stated Mr. Arden does have evidence of the effectiveness of his organization in controlling deer. Mr. Conti stated Mr. Shissler indicated it would cost \$100 to \$400 per deer. Mr. Conti stated Upper Makefield is employing a company which is proposing a cost of \$400 to \$600 per deer. He stated Solebury Township has employed the U.S. Department of Agriculture at an expense of \$135,000 in the first year and \$131,000 in the second year to control deer. Mr. Conti stated if the Township employed the archery group, it would be at no cost at all to the Township; and he feels they should be given the opportunity to make a presentation to the Board.

Mr. Jim Bray stated the Environmental Advisory Council invited Mr. Shissler a year ago to give a lecture on deer management. Mr. Bray stated before there would be a hunt he would like to know how many deer there are in Lower Makefield, statistical evidence on

Lyme Disease, and how many traffic accidents involving deer took place in Lower Makefield. Chief Coluzzi stated there were 69 motor vehicle accidents involving deer in the Township last year. He does not have records prior to that time.

Mr. Smith stated he would like to give the residents the opportunity to review Mr. Shissler's report and have this put back on a future Agenda. Mr. Santarsiero suggested that the Board put this matter on a future Agenda when Mr. Shissler is again available so that the residents can ask him questions after reading the report. Mr. Santarsiero stated Mr. Shissler also indicated he had a list of contractors, and he would like to reach out to them preliminarily to get an estimate on the costs for the first year if they were to apply for 200 Permits. Mr. Smith stated Mr. Conti recommended that Mr. Arden be asked to make a presentation. Mr. Santarsiero stated if the Board accepts Mr. Shissler's contention that archers cannot do the job, it would negate having that individual coming in to make a presentation. Mr. Smith stated Mr. Conti has brought up a suggestion with respect to cost, and Mr. Smith stated he feels cost will come into play as well. Mr. Santarsiero stated while cost is an issue, he feels the question is ultimately what is effective; and if they determine that archers cannot be effective, the cost analysis would be what is the cost differential between the sharp shooting contractors. Mr. Santarsiero stated he feels the threshold question is what is the Board's reaction to Mr. Shissler's report.

Mr. Smith stated he feels that in order to get the total picture, they should hear other options as well. He stated he would also like to hear more about the contraception option. Mr. Caiola asked Mr. Smith if he had someone in mind to discuss these other options. He stated Mr. Shissler's report discusses all three options, and he has made the recommendation that they proceed with sharp shooters. Mr. Smith stated he would still like to hear about other options.

Mr. Stainthorpe stated he feels the report is a scholarly document which has been completely footnoted and includes a bibliography. He stated it is fifty-two pages long; and it a thorough, independent look at the options with a recommendation made by Mr. Shissler. He stated the reason they hire consultants is to get their recommendations. He stated they paid for the report, and he feels he has delivered a good product. He stated they should first and foremost consider if they accept the recommendations in the report. Mr. Smith stated he would still like to keep his options open and hear a little more about some other alternatives.

Mrs. Godshalk stated she does not feel they should make any rash decisions.

It was agreed to continue the matter and discuss it again at the second meeting in September. Mr. Smith asked that those who wish to offer an opinion come that evening as well.

Mr. David Conale stated he is not a resident of the Township, but is a hunter and a skilled archer. He asked how an archery organization for deer management could approach Lower Makefield. Mr. Smith stated at the next meeting when this is considered they could make a presentation. Mr. Conale stated he did harvest deer from the Township last year.

Mr. Conti stated he would recommend that they schedule the meeting sooner than the second meeting in September since hunting season starts October 1. Others present stated hunting season starts earlier than October 1. Mr. Stainthorpe stated the date of the start of hunting season is immaterial; and the reason they are meeting in September is if they decide to proceed, they need to get Permits and there is a lead time involved. Mr. Smith stated Mr. Shissler indicated that if they were going to proceed with a sharp shooter, they would want to do it after hunting season. Mr. Shissler stated normally the Permit does not start until after hunting season. He stated in Lower Makefield there are no Ordinances that prevent hunting. Mrs. Godshalk stated they still must maintain certain distances from Schools, etc. Mr. Shissler stated there are State laws which apply. Mr. Conale stated they cannot hunt on Township or open space property, and there is a lot of land in the Township that is Township and open space that harbors deer; and he asked what they could do to open this up to the hunters. Mr. Smith stated they are not considering this at this time. He stated safety issues are their primary concern.

UPDATE ON PATTERSON FARM STAKEHOLDERS COMMITTEE PROGRAM

Mr. Jeffrey Marshall was present and stated they have had a number of meetings and received a lot of public input. He stated they feel the Farm should stay intact and agriculture should continue to be a central use of the property. He stated they feel the land should be permanently protected for future generations; and while it is owned by the Township, it should be supplemented by Agriculture Preservation Conservation Easements. Mr. Marshall stated they also discussed the leaf/composting/recycling issue, and how important this was to the Township. They did have someone present from the Bucks County Extension to discuss the issue of leaf recycling. He stated the soil was tested, and a report was submitted to the Township on this.

Mr. Marshall stated there was also discussion about this being a Living History Museum. He stated a number of those on the Committee visited the Howell Living History Museum to see what this would entail. He stated they found that Howell's annual operating cost is subsidized by the County in the amount of \$600,000. He stated this represents 90% of their revenue. They also have funding from the New Jersey Historic Commission. They have a paid staff of nine full-time employees and ten part-time people and have logged in over 17,000 volunteer hours. He stated the Committee was surprised at the scope of running such a Living History Museum. Mr. Smith stated he understands their Budget was well over \$1 million. Mr. Marshall stated he feels this may

be correct. He stated they do have a Master Plan and a Capital Improvement Plan. He stated they do not lease any of their buildings for revenue. He stated they get approximately \$13,000 from School trips, and they charge \$2 to \$3 per student visiting the Farm. He stated all the statistics on this will be included in the final report.

Mr. Marshall stated the Farmland Preservation Corporation did present a proposal suggesting that the total acreage be transferred to them. They are also pursuing some Ag Preservation options. Mr. Marshall stated there was also a lot of discussion on the historic buildings, and they considered sale, lease, and removal. He stated he did research on different programs including resident/curatorship programs where long-term leases are given to families or groups who want to take the burden of management away from the Municipality with a guarantee of maintenance and certain improvements at no cost to the Township. With regard to the sale of the buildings, they brought in a Realtor whose background is in historic properties to provide estimates on the market value of the properties. He stated they also considered removal, and the Committee agreed not to discuss this option as there was a strong feeling from the Committee that the buildings are part of the character of the property.

Mr. Marshall stated the Committee asked for an understanding of what would be the cost to stabilize or rehabilitate the buildings which is why he is present this evening. He noted particularly the situation with the Satterthwaite barn. He stated he contacted George Donovan Associates and asked them to put together an assessment and approval plan for the buildings and come up with a program to do floor plans that could be used in the study of the properties. He stated Phase I would be to prepare a list of all buildings, prepare a prioritized list of the buildings in order of importance, prepare a facilities assessment and capital improvement plan, review existing conditions, outline Code compliance, outline the physical conditions and repairs required over the next three to five years, do a prioritized Budget cost estimate for the work, and prepare a written report. He stated the Committee and the Board of Supervisors would then have an idea of what they are facing in terms of choices to be made. Mr. Marshall reviewed the costs to do the assessment on the various structures as outlined in his report. Total cost for the entire property would be \$38,000 to study all the buildings and come up with an assessment, recommendations, prioritizing, and a phased improvement plan. If they picked the five major buildings, it would cost \$21,000.

Mr. Smith noted Phase 3 of the proposal which lists all the exclusions and hourly rates and noted it appears that the costs could be much higher than \$38,000. Mr. Marshall stated he would recommend that they only do the major buildings because it was a high figure and it may not be what the Township wants to do.

Mr. Stainthorpe stated he feels spending this amount of money before the Committee has presented their final report is not the best way to proceed. Mr. Marshall stated it was felt that it would be difficult to make a final report without some idea of these costs.

Mr. Marshall stated he is present at the request of the Committee as they wanted to get some idea of the costs. Mr. Marshall stated the Committee could make a recommendation without this information but note in their report that without this additional information, they are giving their suggestions on the best uses of the buildings with the information they have although they do not know the costs to the Township.

Mr. Santarsiero stated he feels there may be some miscommunication between Mr. Marshall and the Committee. Mr. Santarsiero stated the proposal is dated 4/24/07, and he understands it was not presented to the Committee first. Mr. Marshall stated he was coming to the Board of Supervisors to see if they had any interest in doing some or all of this and then he was going to discuss this with the Committee. Mr. Santarsiero asked the last time he met with the Committee, and Mr. Marshall stated it was May 5. Mr. Santarsiero stated he agrees with Mr. Stainthorpe and feels this proposal is premature. He stated the charge to Mr. Marshall and the Committee was to look at Patterson Farm and come up with an idea as to what the uses could be. He stated Mr. Marshall was hired to give his expert analysis on what he felt would make sense. Mr. Santarsiero stated once they come back with a set of ideas for the Township to look at, it would then be appropriate to see what the costs would be if they are looking at specific buildings. He stated if they approve this proposal being presented tonight, even on a limited basis, it may not come close to what the Committee ultimately recommends. He stated he would recommend that Mr. Marshall go back to the Committee and have a few meetings to get their input and get a better sense of where they feel this should be going and then come back to the Board of Supervisors with some ideas before they consider this proposal. He stated he also feels the Committee members should be in the loop as some of them feel that they are not being kept advised.

Mr. Marshall stated he and Mr. Fedorchak discussed putting this on the Agenda several meetings ago, but Mr. Marshall was told it could not be on the Agenda until now. He stated this proposal was first submitted to the Township after he received it in April. He stated the Committee has asked on numerous occasions that he get this kind of information.

Mr. Smith asked that Mr. Marshall report to the Committee that the Board is not going to approve this expenditure at this time, and asked that they come back to the Board of Supervisors with their recommendations as soon as possible. He asked that the Board be provided with their report by the first meeting in August, and Mr. Marshall agreed.

Mrs. Godshalk asked when the next meeting will be held, and Mr. Marshall stated they did not schedule it as there was no reason to meet as they were waiting for the information that was presented this evening. He stated the discussion on this proposal was the next item on their Agenda. Mrs. Godshalk stated she has heard a lot of talk about putting the Patterson Farm into the Farmland Preservation Corporation which would then take it out of the hands of the taxpayers who are paying for it. Mr. Smith suggested that they

wait until they get the report from the Committee before discussing this. Mr. Marshall stated he does not feel this will be a recommendation.

Mr. Matt Maloney, 2 Hillside Lane, stated he feels Mrs. Godshalk's statement that the land would not be in the hands of the taxpayers is inaccurate, as if Farmland Preservation were to use the land for a different purpose or consider sale of the land, it would have to go to Referendum so there is considerable taxpayer input. Mrs. Godshalk stated the Farmland Preservation Corporation has the ability to put it to a Referendum and sell the land for buildings. She stated if the Township controls it, they would not allow this to happen. Mr. Maloney stated there is no requirement for them not to allow this. Mrs. Godshalk stated Patterson Farm was purchased for open space, and that is how it will remain. Mr. Maloney stated his point is if the land were in Farmland Preservation Corporation's hands, it would effectively be in the taxpayers' hands; but when it is in the Board of Supervisors' hands, it is at their leisure to handle the land. Mrs. Godshalk disagreed and stated all the land in Farmland Preservation has been paid for by developers. She stated if the Patterson Farm goes to Farmland Preservation, the taxpayers would still be paying \$7.5 million; and she asked if the Farmland Preservation Corporation was willing to buy it from the taxpayers.

AWARD CONTRACT FOR BROCK CREEK STREAM RESTORATION

Mr. Caiola moved and Mr. Santarsiero seconded to award the contract for Brock Creek stream restoration to Meadville Land Service, Inc. in the amount of \$99,589.16.

Mr. Fedorchak stated there is \$105,000 available in Grant money from DEP for this.

There was no public comment, and the Motion carried unanimously.

APPROVAL OF RADVANY SUBDIVISION PRELIMINARY/FINAL PLAN

Edward Murphy, attorney, was present with Mr. and Mrs. Radvany. Mr. Truelove stated this is a request for a Minor Subdivision Preliminary/Final Plan approval for a parcel on Stackhouse Drive and Laurel Lane.

Mr. Murphy stated this is a 1.3 acre site, and they would like to draw a line down the center of the property to create a second lot. Lot #1 is the lot on which Mr. and Mrs. Radvany reside which will be 32,000 square feet; and the new lot to be created would be 25,000 square feet. The Planning Commission and Zoning Hearing Board have recommended approval. Mr. Murphy stated he and Mr. Truelove have exchanged correspondence; and Mr. Truelove has an outline of Conditions, which would be acceptable to the Applicant.

Mr. Stainthorpe moved and Mr. Santarsiero seconded to approve the Radvany Minor Subdivision Preliminary/Final Plan dated 12/8/06, last revised 2/1/07 subject to the following Conditions:

- 1) Applicant shall comply with the Lower Makefield Township Subdivision and Land Development Ordinance (SALDO), the Lower Makefield Township Zoning Ordinance, and all applicable local, State, and Federal Ordinances, Statutes, or Laws;
- 2) Receipt of all permits, authorization, and/or approval from all agencies with jurisdiction including, but not limited to, PADEP and NPDES;
- 3) Compliance with review letter of Schoor DePalma dated 5/8/07;
- 4) Compliance with letter from Remington, Vernick & Beach Engineers dated 1/18/07;
- 5) Compliance with Bucks County Conservation District letter dated 4/26/07;
- 6) Compliance with comments noted in the EAC letter dated 5/1/07 with respect to “Mitigate Against Soil Compaction,” as noted therein;
- 7) Compliance with 1/25/07 Bucks County Planning Commission memorandum;
- 8) Compliance with 5/15/07 Lower Makefield Township Planning Commission memorandum;
- 9) Compliance with 1/3/07 Lower Makefield Township Zoning Hearing Board Decision granting a Special Exception subject to the specific Conditions set forth therein;
- 10) Since the Plans note there is limited room on Lot 1 to provide for maintenance, the owner of Lot 2 will allow access onto their property to conduct regular maintenance, subject to an Easement Agreement which will be provided in a format satisfactory to the Township Solicitor;

- 11) Waivers to be granted to Applicant on the following Sections of the Lower Makefield Township SALDO Ordinance:
 - a. SALDO Section 178-40.A (requiring a right-of-way width of 56 feet and a cartway width of 36 feet, instead of allowing an existing right-of-way width of 50 feet and existing cartway width of between 20 and 24 feet);
 - b. SALDO Section 178-46.A.1 (requiring that curbs be installed along the existing street in which the Subdivision abuts, but there is no curbing along the existing streets in this area); and
 - c. SALDO Section 178-47.A stating that sidewalks shall be required on both sides of all streets, as there are no sidewalks located within the existing development);

- 12) Where applicable, the Applicant shall comply with all comments from appropriate authorities responsible for approval of their proposed utilities.

Mr. Murphy stated the Conditions would be acceptable. There was no public comment, and the Motion carried unanimously.

APPROVAL OF LOT CONSOLIDATION AND MINOR SUBDIVISION PLAN FOR SHADY BROOK FARMS

Mr. Don Marshall was present with Mr. David Fleming, Sr., Mr. David Fleming, Jr. and Mr. Paul Fleming. Mr. Truelove stated he and Mr. Marshall have exchanged correspondence which Mr. Marshall has reviewed, and subject to the Board's approval, is acceptable to Mr. Marshall's clients.

Mr. Marshall stated this is a Preliminary/Final Minor Subdivision and Lot Consolidation Plan. He stated the Shady Brook holdings in Lower Makefield are comprised of four tax parcels which are in this Plan being consolidated and then divided into two. There is no development or new construction proposed with this proposal. He stated the Shady Brook holdings were originally in the hands of the parents of Dave Fleming, Sr. and Edward Fleming, his brother. The entire Farm is now owned jointly by Dave Fleming Sr. and Edward Fleming. Several years ago they undertook a program of trying to divide the land between the two families for the purpose of estate planning and in the hope that the Dave Fleming family, represented by Dave Jr. and Paul who operate the Farm, will be able to continue to operate it as a Farm. He stated Mr. Edward Fleming has three daughters who are not involved in the Farm, and they do not want the Farm to be lost because of taxes.

Mr. Marshall stated the 92.296 acre parcel is proposed to be divided into 41+ acres which is essentially the corner of Stony Hill Road and the By-Pass and 51.1 acres to stay with all existing improvements, buildings, barns, etc. shown as Lot #2 to go to David Fleming's family. He stated under the Accessory Farm Retail Use, they are required to have more than 51 acres so this is why the division is taking place at the size noted. Mr. Marshall stated Shady Brook is also comprised of very substantial parcels of land in Middletown and Newtown Townships all of which have already been transferred to David Fleming's family so that the farm operation is comprised of these three parcels.

Mr. Stainthorpe moved and Mr. Caiola seconded to approve the Lot Consolidation and Preliminary/Final Minor Subdivision Plan last revised 5/15/07 subject to the following Conditions:

- 1) Applicant shall comply with the Lower Makefield Township Subdivision and Land Development Ordinance (SALDO), the Lower Makefield Township Zoning Ordinance, and all applicable local, State, and Federal Ordinances, Statutes, or Laws;
- 2) Receipt of all permits, authorizations, or approvals from all agencies with jurisdictions, including but not limited to PADEP and NPDES;
- 3) Compliance with Schoor DePalma letter dated 3/30/07 and all comments reflected therein;
- 4) Compliance with Lower Makefield Township Planning Commission letter dated 6/12/07;
- 5) Compliance with Remington, Vernick & Beach review letter dated 3/7/07;
- 6) Compliance with Bucks County Planning Commission review memorandum dated 3/15/07;
- 7) Where applicable, Applicant shall comply with all comments from the appropriate authorities responsible for approval of the proposed utilities;
- 8) The following Waivers are to be granted in compliance with the recommendations of the Lower Makefield Township Planning Commission as outlined in the 5/15/07 letter to Nancy Frick, Director of Zoning Inspections and Planning:

- a. A Waiver to Section 178-28.A to allow a Plan scale of one inch equals 200 feet rather than one inch equals 100 feet;
- b. A Waiver to Section 178-28.G for relief from depicting all existing and proposed structures and uses and setback lines and distances between buildings on the Plan;
- c. A Waiver to Section 178-28.M for relief from the necessity to place contours and topography on the Plans as no surveys have been done and no new improvements are proposed;
- d. A Waiver to Section 178-28.P requiring significant physical features, including streams, lakes, ponds and drainage, rights-of-way and direction of flow in environmentally-sensitive areas, including flood plains, flood plain soils, wetlands, lake and pond shorelines, woodlands, large trees standing outside of woodlands and steep slopes be depicted on the Plan as not necessary because no new construction is proposed;
- e. A Waiver from Section 178-28.Y which requires the location of existing buildings and other manmade items to be located on the Plan;
- f. A Waiver from Section 178-28.Z which requires the location of all wells, septic systems and stormwater management facilities on or within 200 feet of the land to be subdivided or developed, as no new construction is proposed;
- g. A Waiver from Section 178-28.AA which requires that natural features be depicted on the plan or such appropriate maps, as Applicant has agreed to submit an aerial photograph which will Depict these natural features, and no new construction is proposed;
- h. A Waiver from Section 178-28.BB which requires a depiction of existing buildings and structural remains which may have historical significance.

Mr. Marshall agreed to the Conditions of Approval. There was no public comment, and the Motion carried unanimously.

Mr. Smith thanked the Flemings for their participation at the Farmers' Market last week and for their assistance and cooperation for being a sponsor for Community Pride Day.

APPROVE REQUEST OF WILLIAM AND DOREEN STOTT TO WAIVE REQUIREMENTS OF NESHAMINY CREEK WATERSHED STORMWATER MANAGEMENT ORDINANCE

Mr. Truelove noted the letter from the Stotts requesting a Waiver from the requirements of the Neshaminy Creek Watershed Stormwater Management Ordinance for their property at 1252 Colts Lane and attached was the 6/15/07 review letter from Mr. Majewski. Mr. Truelove stated based on the information provided, they recommend that a Waiver be granted.

Mr. Stainthorpe moved and Mr. Santarsiero seconded to grant the Wavier.

There was no public comment, and the Motion carried unanimously.

APPROVE EXTENSIONS FOR FIELDSTONE AT LOWER MAKEFIELD PRELIMINARY PLANS, FLOWERS-MADANY TRACT/BROOKSHIRE ESTATES, LOTUS TRACT, AND NORMAN AND PATRICIA O'ROURKE

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to grant an Extension to Fieldstone at Lower Makefield Preliminary Plan No. 496N and Plan No. 549 to 10/19/07.

Mr. Caiola moved, Mr. Santarsiero seconded and it was unanimously carried to grant an Extension to Lotus Tract Preliminary Plan to 10/7/07.

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to grant an Extension to Flowers-Madany Tract/Brookshire Estates Phase II Final Plan to 10/19/07.

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to grant an Extension to Norman and Patricia O'Rourke Preliminary Plan to 10/21/07.

ZONING HEARING BOARD MATTERS

With regard to the Tristan Heinz Appeal of the Determination of the Zoning Officer concerning vehicles parked on non-impervious surface on his property at 532 Stony Hill Road, it was recommended that the Township participate as a Party and oppose the Application. Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to have the Township participate as a Party and oppose the Application.

With regard to the Frederick and Lois Childs, 1345 Lexington Drive, Variance request to construct a fence within the Buffer Easement, it was agreed that the Township should

participate to insure that the fence is assessable by the Township and that the fence does not touch the ground within a certain height requirement. No vote is required.

With regard to the Ricky & Mindy Albuck, 872 Dukes Drive, Variance request to construct a swimming pool and decking resulting in greater than permitted impervious surface, it was agreed that the Township should participate to clarify the impervious surface calculations. No vote is required.

With regard to the Dan Marrasso Appeal of the 5/15/07 Determination of the Zoning Officer's Enforcement and requesting several Variances in regard to the property at 1301 Yardley Road, it was recommended that the Township participate as a Party and oppose the Appeal. Mr. Caiola moved and Mr. Santarsiero seconded that the Township participate as a Party and oppose the Appeal.

Mr. William Queale, 39 Sutphin Pines, stated he met earlier with Mr. Truelove and Mr. Fedorchak; and in addition to the retention of Counsel, he would recommend that the Township retain experts to cover whatever the issues are as part of this Application as there are multiple violations. Mr. Truelove stated this does not have to be decided at this time and would be a litigation strategy that will be considered at a later time with the Board of Supervisors. He stated this is only the process of voting whether or not to oppose the Appeal. Mr. Queale stated he was addressing this as experts who would appear before the Zoning Hearing Board and not any subsequent Appeal. Mr. Truelove stated the entire Record would have to be established before the Zoning Hearing Board; and if experts are appropriate, it will have to be done at that point. Mr. Queale stated he would be willing to work with the Township in this process. At the request of Mr. Smith, Mr. Truelove explained the process of having Party Status at the Zoning Hearing Board. Mr. Queale stated he has made the inquiry that he would like to be considered a Party, but he wanted to make sure there would be a proper record before the Zoning Hearing Board by proper expert witnesses so that if it goes up on Appeal, they have the record. Mr. Smith stated he understands that if an individual is not present at the Zoning Hearing Board meeting, they cannot be considered for Party status; and Mr. Truelove stated this is correct and at the Hearing, when requested, they will have to note for the record their interest and how they qualify as a Party.

Motion carried unanimously to oppose the Appeal.

SUPERVISORS' REPORTS

Mr. Stainthorpe stated they had their Annual VIP Golf Outing last week which helps promote the Course for outing business and rewards those who have participated in outings in the past. He stated they had good attendance despite the rain.

Mrs. Godshalk stated two people from the Historic Commission have decided that they would like to be on the HARB as some of the Board members have suggested, but they are opposed to combining the Boards. She stated this will be an important Board as Edgewood Village gets underway. She noted the Township Historic Homes Booklet with a focus on a Walking Tour of Edgewood Village. She stated these have sold out and she feels it should be re-printed for Community Pride Day when they could sell copies. Mrs. Godshalk stated they are doing planting at the Garden of Reflection and the paths are in. She stated six executives from Brickman were planting bushes yesterday with photos being taken by their company.

Mr. Smith stated he understands the Historic Commission is working in conjunction with another Department on proposals for entry point signs; and Mrs. Godshalk stated Ms. Liney is working with them on this, and the Board will be reviewing this. She stated the Board will also be shown a template. She noted there are some State right-of-ways where they may not be permitted to install the signs.

Mr. Santarsiero stated the Park & Recreation Board was going to meet last week to have their annual review of the Pool; but they did not have a quorum, so the next meeting will be sometime in July when they have their annual Park & Rec Road Tour. He stated this is open to all the Board of Supervisors.

Mrs. Godshalk stated one of the soccer representatives spoke to her this evening about how many of the young people are making use of Memorial Park. She stated she feels it would be good to have more facilities at that location. Mr. Santarsiero stated this would be an issue for consideration at Budget time.

Mr. Santarsiero stated the Environmental Advisory Council met last week and discussed spreading the word to get more residents to sign up for the wind energy program so that the Township can get the free solar panel.

Mr. Smith asked if the Citizens Traffic Committee or Economic Development Committee are ready to come before the Board of Supervisors to give an update. Mr. Caiola stated the Economic Development Committee has only had a few meetings and possibly could come in later in the year. Mr. Santarsiero stated the Citizens Traffic Committee will probably come in sometime after Labor Day.

Mr. Smith stated the Regional Traffic Task Force will hold their next meeting at the Lower Makefield Township Building on Tuesday, July 31 at 7:30 p.m. and he asked all those interested to attend. He stated the Special Events Committee is moving ahead with Plans for the Veterans Day Event and Community Pride Day which will be on Labor Day. He stated Community Pride Day will be bigger than last year, and they are getting a lot of contributions and sponsors.

CONSIDER HIRING TWO POLICE OFFICERS

Chief Coluzzi asked that the Board approve hiring two new Police Officers, one of whom will replace an Officer who is retiring and the other Officer will be hired under the \$240,000 Grant which would cover partial salary for the next three years.

Mr. Santarsiero moved, Mr. Stainthorpe seconded and it was unanimously carried to hire Kenneth D. Stinson with a start date of 7/9/07 and Richard W. Meehl with a start date of 6/25/07.

DISCUSSION AND MOTION ON CREAMERY ROAD

Chief Coluzzi stated the Official Traffic Commission has been working with residents of Creamery Road and the Citizens Traffic Commission to designate an area of Creamery Road along side of Quarry Hill Road as a 15 mile per hour School Zone. While PennDOT has disapproved this request, the Township would like to move on a Petition to PennDOT through Traffic Planning & Design to make substantial improvements along that road which would, if approved by PennDOT, cost approximately \$15,000 to make the improvements. He asked the Board to approve having Traffic Planning & Design petition PennDOT to change the Warrants on Creamery Road

Mr. Santarsiero moved and Mr. Caiola seconded to approve having Traffic Planning & Design petition PennDOT to change the Warrants on Creamery Road.

Mrs. Godshalk stated it is very dangerous in this area because there is no shoulder. Chief Coluzzi reviewed the work they propose to help this situation. Mrs. Godshalk asked about the light at Creamery Road, and Mr. Majewski stated the signal will probably be operational next month.

Motion carried unanimously.

AUTHORIZE EXECUTION OF AN AMENDMENT EXTENDING THE
TERMINATION DATE OF THE DCED GRANT FOR LINDENHURST ROAD
TRAFFIC CALMING PROJECT

Mr. Santarsiero moved and Mr. Caiola seconded authorizing the execution of an Amendment extending through 6/30/07 the termination date of a \$250,000 DCED Grant for the Lindenhurst Road Traffic Calming Project.

Ms. Sue Herman asked when construction will begin, and Mr. Majewski stated they are currently trying to schedule a pre-construction meeting with the contractor and PennDOT. They anticipate this construction will start in a few weeks.

Motion carried unanimously.

AWARD 2007 CONSORTIUM PIPE BIDS

Mr. Fedorchak reviewed the recommendations for award of the 2007 Consortium Pipe Bids. Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to award the 2007 Consortium Pipe Bids as noted by Mr. Fedorchak.

APPROVE CANCELING BOARD OF SUPERVISORS' MEETINGS

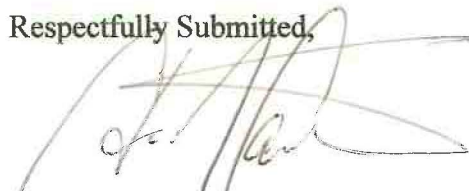
Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to cancel the July 4, 2007 and August 15, 2007 meeting.

APPOINTMENTS

Mrs. Godshalk moved, Mr. Caiola seconded and it was unanimously carried to appoint Kathleen Kraeck to the Special Events Committee.

There being no further business, Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to adjourn the meeting at 11:00 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Steve Santarsiero', written over a light blue 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

**JUNE 2007 WARRANT LISTS AND
MAY 2007 PAYROLL COSTS FOR APPROVAL
JUNE 20, 2007 BOARD OF SUPERVISORS MEETING**

6/4/2007 Warrant List	\$ 359,306.25	
6/07 Manual Checks	285,964.00	
6/18/2007 Warrant List	611,151.15	
Total Warrants & Prepays		1,256,421.40
<u>PAYROLL COSTS:</u>		
MAY 2007 Payroll	278,234.89	
5/07 Payroll Taxes, etc.	130,529.09	
Total Payroll Costs		408,763.98
TOTAL TO BE APPROVED		\$ <u>1,665,185.38</u>

