

TOWNSHP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – SEPTEMBER 5, 2007

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 5, 2007. Chairman Smith called the meeting to order at 7:35 p.m. Mr. Santarsiero called the roll.

Those present:

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

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

RECOGNITION OF DAVID TRUELOVE

Mr. Smith announced that David Truelove was recently recognized by his peers as one of the Pennsylvania super lawyers in the Commonwealth of Pennsylvania.

PUBLIC COMMENT

Ms. Nancy Doyle thanked the Board of Supervisors for their interest in the Pennsbury School District re-Districting issue. She stated she does not feel this is the end of the matter and does not feel the problems have been solved. She asked what else could be done to get the Township and the School District to work together.

Mr. Stainthorpe stated he feels the best way to work with the School District is for the residents to communicate with the School Board. He stated he does not feel it is appropriate for the Board of Supervisors to comment on issues related to development of School buildings prior to the Plans coming before the Board; and this was confirmed by the Township Solicitor.

Ms. Doyle stated the School District is made up of three Regions with three Directors representing each District. She stated most of Region I is in Lower Makefield, but now her children are going to a School located in another Region and when there are Elections, she is required to vote for candidates for Region 1 which is not where her

Mr. Stainthorpe stated they have received a packet of reports from the Finance Director, and it appears there a number of inconsistencies. He stated he has expressed concern in the past about the increase in the engineering fees. He noted the Warrant List for August 20 on page 22 where it notes a check was cut to Schoor DePalma for \$38,807.81. He stated in the back there is a Warrant Summary and under Central Government on page 29 engineering fees are listed as \$16,576.00 and he asked why there are two different figures. He also noted the Expense Report where engineering fees are listed through August of \$88,874 and the month-to-date expenditure is \$25,030, and on a third report received through July, it indicates the Township has spent a total of \$235,790. He stated if the last report is the correct number, it appears they will have engineering expenses of over \$400,000 against a Budget of \$125,000.

Mr. Santarsiero stated he feels he is adding in different accounts. He stated the Budget for engineering of \$125,000 relates to Account 01400313, and Mr. Fedorchak stated this is the General Fund. Mr. Santarsiero stated if they look at that number, for Schoor DePalma that number is \$64,279.11. He stated for Traffic Planning and Design it is \$20,213.21, and for Birdsall, the environmental engineer, it is \$4,381.00 He stated if you add these three together it will show where the Township is with respect to the Budget for the General Fund Account.

Mr. Stainthorpe asked if all the other costs are for specific projects, and Mr. Fedorchak stated they take engineering fees out of the General Fund, the Sewer Fund, Park & Rec, and special projects which are typically funded out of Capital Reserve or Street Escrow.

Mr. Stainthorpe stated he assumes the \$38,000 check would be a total check that includes General Fund as well as other projects Schoor DePalma worked on, and Mr. Fedorchak agreed.

Motion to approve carried unanimously.

Mr. Santarsiero noted the Pool Account seems to be doing better than ever on money coming into the Pool.

GOVERNOR'S PROCLAMATION/PATRIOTS DAY

Ms. Ellen Saracini was present along with representatives of the Fire and Police Departments. Mrs. Godshalk stated the Proclamation is from Governor Rendell declaring September 11 as Patriots Day. Mrs. Godshalk read the Proclamation into the record.

Kevin Campbell and Larry Newman were present from the Fire Department. Mr. Newman stated they are proud to be volunteers serving the community.

He thanked Mrs. Godshalk for the Proclamation from the Governor. Officers Bell and Golder were present from the Police Department.

Mr. Smith thanked the Police Department and Fire Department for all their work during the recent Community Pride Day.

Ms. Saracini stated on September 9, they will have their Fourth Annual 5K Run for the Garden of Reflection, and they anticipate 400 runners. She stated on September 24 they will hold their Fourth Annual Golf Outing. On September 11, they will have a Remembrance. She stated Glenn Chamberlain has asked her to speak on behalf of the Fire Company, and they would like to bring the fire trucks out and hang the flag on the road as they did during the Dedication. She stated the volunteers are doing this at no cost. The Remembrance will start at 8:30 a.m. She reviewed the activities to take place during the Remembrance. The event should end at approximately 10:15 a.m.

Ms. Saracini stated she has had requests from a number of people to have the DVD from the Dedication run on the Township Channel. Mr. Smith stated they will look into this.

LOWER MAKEFIELD COMMUNITY PRIDE DAY WRAP-UP

Ms. Marielle Wolf, Ms. Doreen Kaplan, Ms. Suzanne Curran, and Ms. Donna Liney were present. Ms. Wolf thanked all the local businesses and organizations who were either sponsors or participants. She particularly thanked the Police, Fire, and EMTs for their continued support. She also thanked all the volunteers, Mr. Fedorchak, Ms. Liney, and her staff. She stated they had great weather which brought families, friends and neighbors to the event. She reviewed the events which took place that day. She stated they hope to make Community Pride Day an annual end of summer event for years to come.

Mr. Smith noted the recent newspaper article about this special event. He thanked all of the volunteers for their work. He stated the turn out was even higher this year than last year.

Ms. Curran thanked the Township for continuing the Battle of the Bands which was greatly enjoyed by the many teenagers and others in attendance. She noted the eight bands which performed were all Pennsbury students.

Mr. Smith asked that the Township employees be thanked for all their help. He also noted the work done by all the community groups which were present. He particularly thanked Donna Liney for all her hard work.

Ms. Kaplan stated the children present were all well behaved which is a credit to their parents, and she feels the community should be commended as well.

Mr. Stainthorpe again thanked Ms. Liney for the work she did. He also thanked the Committee for their enthusiasm and their creativity. Mr. Santarsiero also thanked Ms. Liney for her work. Mr. Caiola stated in two years they have been able to do what other communities are still trying to do. He stated it was very successful because they had events for all ages. He asked that all the members of the Special Events Committee be thanked for their hard work.

Mrs. Godshalk thanked everyone for their hard work. She stated she feels they do need to work on the issue of raffles/small games of chance since some groups were able to proceed with these, but the Garden of Reflection was not permitted to sell chances.

Mr. Smith also thanked the media for publicizing this Event.

Ms. Wolf stated on Sunday, November 11, Lower Makefield Township will have their first Annual Veterans' Day Event; and they will provide more information on this in the future.

PRESENTATION AND MOTION ON RECOMMENDATION BY MEMBERS OF THE DISABLED PERSONS ADVISORY BOARD

Ms. Lisa Huchler-Smith and Mr. David Rogers were present with Rich Carroll, Architect. Ms. Huchler-Smith stated they were previously before the Board regarding upgrading some of the doors to the Township Building to make them handicap-accessible, and they are present to present three options so they can go out to bid. Ms. Huchler-Smith stated Mr. Fedorchak had Rich Carroll come up with these options.

Mr. Carroll stated he is an architect licensed in Pennsylvania and New Jersey and noted they previously did extensive renovations for the Township Police Department. He stated they were asked by Mr. Fedorchak to look at the Township main entrance and the Township Tax Office entrance. He stated the doorways are original to the Building which was built in the 1960's. He stated they do not comply with current Building Code or ADA requirements. Two sketches were provided to the Board of Supervisors in their packets. He stated they have shown three options for the doors. Option 1 is to remove the doors and replace them with a newer door which would meet the ADA requirements and be energy efficient. Option 2 would involve swapping out a manual closure with a powered operator. This would involve a push paddle some distance away from the doors so that the door operates itself and opens. He stated they would like to get a base bid and then incrementally add onto it so it will fit within the Budget. He stated Option 3 would be for the main entrance only and would involve a sliding entrance using a motion sensor and a timing mechanism. He stated the Tax Office door is not large enough for this option. Mr. Carroll stated the next step is to finalize plans for the specs and put it out to bid.

Mr. Rogers stated this issue has repeatedly come up particularly with regard to the Tax Office since this door is difficult for many senior citizens to open.

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to authorize Carroll Architects to move forward with putting a bid package together.

Mr. Smith asked if Community Day worked better this year since they provided golf cart shuttles; and Ms. Huchler-Smith stated it did work much better since they put the drop-off point past the Library, and the system worked well. Mr. Smith asked that the Committee be in contact with the Board of Supervisors if there is anything else they can do to help.

APPROVE AGREEMENT WITH BUCKS COUNTY WATER & SEWER AUTHORITY AMENDING THE JANUARY 28, 1980 AGREEMENT

Mr. Henry Hoffmeister stated this is a modification to the 1980 and 1989 Agreement with Middletown Township/Bucks County Water & Sewer for charging Lower Makefield on an EDU basis. He stated the balance of the Township as it flows to Bucks County Water & Sewer is charged per 1,000 gallons. After discussion of the matter by himself and the Sewer engineer with Bucks County Water & Sewer, it was agreed that the Township was paying inappropriately on an EDU basis; and they have been able to work out an Agreement which will charge the Township for the area that goes to Middletown Township, which consists of 566 units, on a gallonage basis consistent with the balance of the Township. This will result in a savings of between \$13,000 to \$18,000 per year.

Mr. Santarsiero moved and Mr. Caiola seconded to approve the Agreement. Motion carried unanimously with the exception of Mr. Stainthorpe who recused himself from the vote.

The Agreement was signed by the Board this evening.

AWARD BID FOR BLACK ROCK ROAD PIPE REPLACEMENT

Mr. Caiola moved, Mr. Santarsiero seconded and it was unanimously carried to award the bid for Black Rock Road pipe replacement to Couzins, Inc. at a cost of \$36,225.

A short recess was taken at this time. The meeting was reconvened at 9:00 p.m.

PRESENTATION OF PATTERSON FARM STAKEHOLDERS REPORT

Mr. Jeffrey Marshall, Heritage Conservancy, was present with Stakeholders Committee Members, Virginia Torbert and Sam Conti. Mr. Marshall noted the final report was submitted to the Board of Supervisors in their packet. He stated the Township should be commended for acquiring this property which is a magnificent property. He stated the Stakeholders Committee was made up of a diverse group, all of whom had their own perspective and then coalesced for a common goal.

A map of the property was shown. The area which has been permanently protected through the Township's application to the County Open Space Bond Issue was noted on the Plan as well as the rest of the property which is open to what the Township's vision is for the property. He stated the Committee came up with a Mission Statement and felt this should be a permanently protected, sustainable resource. He stated they wanted to preserve the agricultural heritage of Lower Makefield Township.

Mr. Marshall stated there are several houses on the property and they need to consider options for these and the other buildings on the property. He stated they considered long-term lease including a residential/curatorship program where someone would be provided a long-term lease for the property where they have pledged to restore the building and maintain it in good condition after restoration is complete. He stated typically these arrangements have two documents – a gift document where they agree to spend a certain amount of money in a certain period of time in return for which they received a long-term lease. While sometimes these are done for life, the Committee felt that twenty to thirty years would be appropriate. He stated other long-term options were non-profit uses or income-producing activities such as a Bed and Breakfast or other private sector operation which would generate income for the Township. He stated they also considered short-term leases, residential, rental or similar which would require restoration/rehabilitation. He stated another option the Committee considered was sale of the buildings. He stated this would result in no future maintenance costs and providing revenue to the Township. He stated this would, however, result in loss of the structures as assets for future use by the Township, a farmer, or any other long-term lease program. This would also result in loss of the buildings and the need to relocate Public Works and possibly the leaf operation. He stated they also quickly looked at complete removal of the buildings from the property, but felt this would be a detriment to the property; and they did not feel this was a viable option.

Mr. Marshall stated they considered whether the farm's agricultural activity was the long-term use of the property or a "place-holder" until some other use may arise. He stated they feel this is the key question as to how they should proceed. He stated a majority of the Committee felt that agriculture should be the primary use of the property noting that the preservation of this piece of farmland may play a critical role in the agricultural

sustainability of all the agricultural lands that the Township has acquired through Farmland Preservation Corporation.

Mr. Marshall stated a majority of the Committee also felt that the property should be permanently protected preferably through an Agricultural Preservation Easement, noting that this would admittedly take the ability to change the property from this Board and future Boards by putting an Easement on it held by the County and State in order to ensure its agricultural use in perpetuity. Mr. Marshall stated the Committee also felt that it should not be purely agricultural, and the woodlands which in Agricultural Easements are considered slow-growing crops, should also be protected. They also felt that once the land was preserved, the day-to-day management of the property could be vested in the Farmland Preservation Corporation as it would help them with their mission as well.

Mr. Marshall stated they also considered the leaf-composting program. He stated a representative from Penn State came in and did soil testing and came back with some recommendations and comments. He stated it was indicated that the leaves could be spread up to 6"; and that the impact of the leaf-composting operation is a short-term boost in nitrogen, but after application of fertilizers, the leaves would decompose and balance out the ph and nitrogen. He stated in the future because of the effect of the leaves, there may be certain crops that should be planted to mitigate the soil conditions or which do well under those soil conditions.

Mr. Marshall stated they also considered the farm as an educational facility. He stated they initially looked at this in terms of school children, but felt that modern farming did not lend itself to this use. He stated they did look at the possibility of this as a Living History Museum and some of the Committee members visited Howell Farm. He stated they found that the Howell Farm only succeeds because they get \$600,000 per year from the County; and this equals 90% of their revenue. He stated they do not feel a Living History Museum would be able to offset the expenses. He stated they also considered the possibility of having special events at this location but noted they would not want to overwhelm the property to the extent that it would negatively impact the farm operation. He stated some events which are held at other locations in the Township where there is neighbor opposition could be minimized at the Patterson Farm since there are fewer neighbors in close proximity.

Mr. Marshall stated there was significant discussion about how to blend modern agriculture with 19th Century buildings. He stated since they are not sure what farming will be in the future on this property, it was difficult to determine whether the buildings were usable or not although they did feel that there would be a need for equipment storage or crop storage.

Mr. Marshall stated the Board of Supervisors must also consider public expectations and perception. He stated the County is considering an \$87 million Bond Issue, and there is a

lot of discussion regarding what is open space. He feels there is a public expectation that the Patterson Farm will look similar to what it does today, and the Board should be aware of this. He stated any costs to the more sustainable options would be weighed against some public uses. He stated modern farming may require new structures as well as limited public access. He stated the leasing of this property or a portion of it to a non-profit may also require some limited public access. He stated if they increase the activity on the property, the neighbors will be impacted to the extent that they are not today; and this is something the Board should also consider. He stated it also seems that the leaf recycling program will be here for some time to come.

Mr. Marshall stated a majority of the Committee felt that the land should be used for farming. They felt the property should be permanently protected noting that with a new Bond Issue, if it is passed, there may be funding available either through Agricultural Preservation Program or the Municipal allocation. He stated the buildings do need work and immediate attention should be brought to stabilizing the historic structures. He stated they all felt the Board of Supervisors should appoint a Patterson Farm Committee that would be there to help guide the Township in the use of the property. One of the things the Committee may do would be to philosophically divide the property into different management areas and let a Committee take management of the different management areas and treat them separately. He stated they also investigated how this property could tie to Edgewood Village without negatively impacting the integrity of the Farm. He stated they should try to integrate the buildings to farming. He stated since this is a visual gateway to the Township, it should remain substantially the same. He stated the woodlands should be preserved.

Mr. Marshall stated the day-to-day management of the tillable acreage should be transferred to the Farmland Preservation Corporation. He stated the leaf recycling could be upgraded although this would be at a cost since there is specialized equipment to deal with the leaves and additional manpower would be required. He stated they should consider long-term leases of the buildings to organizations such as the Ark Foundation. He stated he and Ms. Torbert did look at Ark's existing operation. He stated they could transfer some special events to the Patterson Farm to call attention to the property and have the community use it a little more often. He stated the lease for any property should include required maintenance of the historic structures to be approved by an entity such as the Historic Commission or the Heritage Conservancy to make sure that long-term tenants are living up to their obligation of protecting the public property. He stated any lease that would take the buildings out of public access should have regular open houses as a requirement so that the public has a chance to benefit from them. He stated the Township should seriously consider reserving and excluding any buildings from a lease that they have a use for.

Mr. Marshall stated the Satterthwaite House and barn should be rehabilitated with the thought being that the house should be offered to a farmer or a resident/curator if a farmer

would not want to live in the house. He stated other uses such as storage, farmer's markets, and other non-public gathering uses of the buildings should be considered. He stated they would then not have to be brought up to Code for ADA, etc. which would result in more expensive aspects of restoration. Mr. Marshall stated with regard to the Satterthwaite barn, it appears that the four bay, which is the flatter roof section in the front of the barn, which is where the damage is where the roof came down, has apparently been a problem for some time. He stated the Heritage Conservancy worked with Community Development and felt that the dismantling of the four bay would not have a negative impact on the historic significance of the property.

Mr. Smith thanked Mr. Marshall and all those who served on the Committee for an excellent report. He asked how much is currently budgeted for the building and property maintenance of Patterson Farm. Mr. Fedorchak stated over the last few years this number would be between \$40,000 and \$70,000 per year. Added to this is approximately \$500,000 per year that is budgeted toward retiring the \$7.5 million that was borrowed to pay for the land seven years ago. Included in the \$40,000 to \$70,000 are funds utilized for the upkeep of the buildings. Mr. Fedorchak stated they have also received Grants in the past for upkeep, and they applied this toward beginning to renovate the front of the Satterthwaite House.

Mr. Smith stated the Satterthwaite buildings seem to be in the poorest condition, and he asked if there is an estimate as to how much it would cost to get the house and barn restored to a condition that would be presentable. Mr. Marshall stated if they were using Community Development Funds, paying prevailing wages, making it ADA accessible, and to a "museum-quality," it could cost \$1 million. If they wanted to make it livable for an individual or family and did not have public gatherings, he feels it could cost \$100,000. Mr. Marshall stated this is the reason they wanted to have the analysis done which they spoke about previously with the Board of Supervisors.

Mr. Fedorchak stated when the Township looked at the house approximately three years ago and brought in a structural engineer and architect, they indicated it could cost \$300,000 to \$400,000 for a complete restoration. He stated there are conflicting opinions on the numbers. He stated recently he did contact a local contractor to look at the roof area, and the amount to just fix the roof of the Satterthwaite was approximately \$100,000. He stated he feels they may need to get more people involved looking into this.

Mrs. Godshalk stated the Satterthwaite house would need a complete renovation to the kitchen and bathrooms. She stated the reason they got to this study was because the Board wanted to look into subdividing the Satterthwaite property since it was in the worst condition. She stated there were people who were interested in purchasing it, and the Township could have subdivided this off with a few acres of land and someone would have restored it. She stated people are still interested in it. She stated the property has direct access to a road. She stated she feels this would help pay off some of the Bond

Issue, and would not interfere with the rest of the farmland and would be a good use for the Satterthwaite House.

Mr. Smith stated he feels it would be good to have the farmland under the control of the Farmland Preservation Corporation. He asked why they would need to keep some of the structures if they were not necessary on the Farmland Preservation property. He asked if the farmers need the homesteads. Mr. Marshall stated modern farming does need structures for equipment storage, etc. He stated whether or not they need a resident on the property is a question they need to answer. He stated at the Heritage Conservancy, they are getting a lot of calls from young people who want to get into organic or high-quality farms and want place to live.

Mr. Santarsiero stated the genesis of this most recent discussion was in the spring of 2004 when the previous Board had the idea of subdividing initially the Satterthwaite House and potentially the Patterson House as well. Mrs. Godshalk stated this was incorrect with regard to the Patterson House. Mr. Santarsiero stated he was opposed to this because a number of people in the community felt there was an important aspect of keeping the integrity of the Farm intact since it represented not only a preserved farm, but also a piece of Lower Makefield's heritage. He stated the concern was that if the property was parceled out and given to a private concern such as a Bed and Breakfast, it would upset the integrity of the Farm. Mr. Santarsiero stated he then asked for a Master plan for the Farm, and they now have a blueprint for this in this report. Mr. Santarsiero stated he feels it was a mistake that the previous Board did not make any decisions as to what should happen to the Farm. Mr. Santarsiero stated they now need to have a long-term solution. He stated there is a need for farmland in the County that younger people interested in farming can lease on a long-term basis. He stated he would like to be able to provide this to get people started in agriculture. He stated there are also a number of alternative crops that are in demand locally particularly organically-grown crops, and he hopes that they will be able to do something about this at the County level. He feels there is a lot that they can do to save agriculture in the County and the Township which will preserve the farms without having to buy them. He feels a Management Committee and breaking out the different pieces of the property in terms of their distinct nature and having different Boards and Commission manage those is a good approach. He stated he also would like the Farmland Preservation Corporation involved not as an owner, but as a manager as they are doing that very well now with the properties that they do hold. Mr. Santarsiero stated in May, 2004 when the issue of the potential subdivision of the Satterthwaite House came before the Board, he was not satisfied with the analysis done at the time that the work would cost \$400,000 or that this was a number that would withstand scrutiny, and he feels there is significant debate as to what the cost would be.

Mrs. Godshalk stated the previous Board had an Agreement with the Patterson family that they held possession of the houses on the property, and Mrs. Patterson collected the

rent from the Satterthwaite House until she died. She stated the Township could not go into the homes until after that time. She stated when the Township was able to access the Satterthwaite House, they found that it was completely inhabitable. Mr. Santarsiero stated the Board could have been planning for what the future uses could be. Mrs. Godshalk stated they did try to plan.

Mr. Smith asked if they need the homesteads in order to farm the properties. Ms. Torbert stated the Committee felt that they should preserve the Farm as a whole. She feels the best way to do this is to have a farmer living on the site. She would like to see the farmer renting one of the houses as a tenant. She feels this would be a good idea for security and would be a better way to hold onto a farmer for a longer time. She stated she does not feel they need to fix the houses up to “museum-quality” to house a tenant farmer. She stated the current farmer is using the barns and other structures, although he is not living in the house. She stated future farming in this area will not be the large forage crops but is niche, organic, vegetable, fruit, and truck farming; and the buildings are ideal for that type of farming.

Mr. Smith noted the Howell Living Farm which is funded 90% by the County, and were it not for the subsidy, they could not continue; and Mr. Marshall agreed.

Mr. Smith noted the questions about the protections on the property noting that Mr. Riblet from the Committee was looking into this. He stated he understands that a lot of the protection on this parcel ended when the Life Estate granted to the Pattersons ended with their passing, and Mr. Marshall stated this was his opinion, which was verified by Counsel. He stated this is true for the parcel with the exception of seventy-one acres. Mr. Smith stated he feels it would be incumbent on the Township to make the necessary moves to protect the property, and Mr. Marshall agreed. Mr. Smith noted County Article #7 which appeared to give the Board of Supervisors the right to extinguish the protective declarations if circumstances arise such as to make it impossible to accomplish their mission. Mr. Marshall stated most Conservation Easements have language for extinguishing or amending if the Conservation purpose is no longer there. Mr. Smith stated it appears that if the Board of Supervisors wanted to do something else, and since the life estate has already passed, there is nothing that is protecting the Patterson Farm; and Mr. Marshall stated this is correct with the exception of the seventy-one acres over which the County holds covenant.

Mr. Smith stated the report submitted indicated many options for protection that they could take, and he asked how many are realistic for implementation in a short period of time. Mr. Marshall stated there are two he feels are realistic. He stated the County Agricultural Preservation Program would accept the donation of a Conservation Easement, but he is unsure whether or not they would purchase one from the Township. He stated the other option is under the new County Bond Issue, which they hope will be passed in November, each Municipality will have a Municipal allocation based on their

square miles and population which is the same pool of funds from which the Township previously received funds for the seventy-one acres. He stated this will depend on who is elected Commissioner and on how the program develops. He stated he is on the County Open Space Task Force, and they are currently working on this program.

Mr. Smith asked if one of the best immediate options was to impose a Conservation Easement, and Mr. Marshall agreed. He stated if compensation is not an issue with the Township, the best option would be to donate the Conservation Easement to the County/ State Agricultural Preservation Program and it would be protected.

Mr. Smith stated he is in favor of Recommendation #5 in the report which is transfer of the day-to-day operation of the tillable acres to Farmland Preservation Corporation adding that this would not be ownership of the land. Mr. Marshall stated one of the issues that was raised in the past was giving away a Township financial asset. He stated if the land is preserved, the economic value is decreased so that even if they were to give it away it would be so much less valuable, and it would not be as much of an issue. He stated it would be protected and managed, and this is what many people felt was going to happen when it was acquired.

Mr. Smith stated he was previously liaison to the Farmland Preservation Corporation and there were some parcels they had which they could not give away to be tilled; and he stated if they had the Patterson Farm and it was packaged together, this would be a great option for the Farmland Preservation Corporation. Mr. Conti agreed. Mr. Conti stated if they transferred the ownership of the tillable acres to the Farmland Preservation Corporation, they would be even more pleased as they could then get the Agricultural Security Agreement, and it would be preserved and it would not have the chance of being condemned for any purpose. Mr. Smith asked if they would still be satisfied with just the day-to-day management of the farmlands, and Mr. Conti stated they would. Mrs. Godshalk stated even private lands can have the Agricultural Security Agreement protection, and Mr. Conti agreed.

Mr. Smith stated throughout the report Mr. Marshall has used the terms “economically feasible,” and he asked the thoughts of the Committee regarding the use of this term. Mr. Marshall stated the Committee felt they could get any property in good condition if money were no option, but the Committee members felt that they should look at this as Township taxpayers.

Mr. Smith noted Mrs. Godshalk’s discussion on selling the Satterthwaite House to someone who would preserve it. Mr. Smith asked if they considered this noting this was done with a property across the street on the Mirror Lake Road. He also asked if the sale would do anything to disturb the integrity of the farmlands. Mrs. Godshalk stated she felt this would be possible with a few acres for the property since it had direct access to the road. She stated they would require that it would have to be Residential.

Mr. Marshall stated they did look into this and did a market analysis for both properties, and this will be provided to the Township.

Mr. Smith stated he feels they need to know the actual costs to restore the various properties. Mr. Marshall stated this is why they came to the Board of Supervisors recently to see if they would want to have someone come in and do this analysis. He stated the Board of Supervisors indicated at that time that they wanted to see the report being presented this evening first.

Ms. Torbert stated if they cannot find a tenant for the Farm, they recommend that the Satterthwaite House would be an ideal property for a resident/curator program for someone who could get a long-term lease and restore it and live in it for an extended period of time. She stated the Township leaf operation is in this area; and if a private individual is put there, they may have to move the Township leaf operation to another area on the Farm. Mrs. Godshalk stated they did consider this with the Plan they had for the subdivision, and the leaf operation would have to be moved away slightly. Ms. Torbert stated she feels it would have to be moved farther away. Mrs. Godshalk stated the location is shown on the Plan which the Township has, and two people were interested. Mr. Santarsiero stated he is still opposed to this.

Mr. Smith noted the report mentioned the Ark Foundation, and Ms. Torbert stated this is a non-profit operation which takes in wounded wild animals. She stated they have recently lost their Lease. She stated she feels the Patterson Farm would be an ideal fit for them as they require a residence and some outbuildings. She stated the Patterson Brown House and the buildings around it would be ideal since the surviving farmland provides a buffer for the animals. She stated many Lower Makefield residents utilize their services currently bringing them wounded animals. She stated public access is limited although they do have Open Houses. They also have an educational program running several camps in the summer which are well attended. She stated currently they work with the Council Rock School District; and she feels if they move into Lower Makefield, they would have a similar program with the Pennsbury School District. She stated they would want a long-term Lease. She stated they do have a benefactor who is willing to put in considerable funds, in the vicinity of six figures, to upgrade buildings for the use of the animals. They would want minimal or no rent in exchange for this for at least a period of some years. Mr. Smith asked if they looked into what the economic downside would be if they gave a long-term lease to an organization such as Ark. Ms. Torbert stated she does not feel there would be a downside. She stated currently the Township is paying for the heat and maintenance costs for the Patterson/Brown House; and if someone were living there, they would be paying these costs.

Mr. Caiola stated they indicated that the removal of a portion of the barn that was so damaged would not adversely impact the historical value, and Mr. Marshall stated they could take down the part that is the worst shape, stabilize the remaining main section of

the barn and put up a new front where the four bay was. This minor change would not negatively impact the historical value of the property. Mr. Caiola stated they will have to prioritize where the funds are best spent. He stated he does agree with cordoning off certain sections and giving responsibility to different people.

Mr. Stainthorpe stated he feels that they will need to consider this for more than one meeting; and he feels the Board needs to prioritize the recommendations, some of which are in conflict with each other. He stated he feels they must strike the right balance between preserving the properties and doing the right thing for the taxpayers. He stated he feels the sale of the Satterthwaite House should not be taken off the table. He stated if they can find a resident/curator such as Ark, this may make sense. He stated the best thing for the taxpayers may be the sale of the Satterthwaite House to someone who can restore it, put the money into it, and get it back on the tax roles. He feels visually they would still maintain the integrity of the Farm. He stated they must also be cognizant of the leaf disposal program. He stated it would be a huge burden on the taxpayers if the Township had to take the leaves to the landfill. He stated he likes the option of a tenant farmer who would grow different crops. He asked how they would market this and find people interested in doing this.

Mr. Marshall stated the Heritage Conservancy gets calls all the time, and there is a great demand for farmland. He stated the Farmland Preservation Corporation would look at 21st century farming and not commodity farming. Mr. Stainthorpe stated this is one of the conflicts in the recommendations if they are going to use the Patterson Farm as an anchor property for the Farmland Preservation Corporation pieces. Mr. Marshall stated some of the smaller operations can operate on twenty acres or less. Mr. Stainthorpe stated he feels the best idea is to have a tenant in the house and create a higher value crop, but they must find out if it is doable. He stated he feels the Patterson Farm may be too large for such an operation. Mr. Marshall stated this may be correct.

Mr. Marshall stated with regard to sale of buildings, they considered whether it would impact the future use of the rest of the property. He noted the recently-held Community Pride Day; and stated if the Township felt that the best place to have a large event such as this would be on the Farm, having a private owner in the middle of this would cause a problem. He stated if the Satterthwaite House would not be integral to what the Township is considering, they could re-consider the sale of that property.

Mr. Stainthorpe stated as long as they are all able to work together, the day-to-day management of the farmland whether it is the Township's or Farmland Perseveration's, really comes down to the farmer. He stated he was liaison three different times to Farmland Preservation; and the main work they did was to invest the money, maintain the fences, and pick up tress or branches that fell down. He stated the farmers run the day-to-day operation. He feels whoever is farming Patterson Farm would do this as well. He

feels the Board needs to work together to consider what is best for the farmland and the taxpayers.

Mrs. Godshalk stated with regard to a curator program, she feels that if someone wanted to invest several hundred thousand dollars, they would prefer buying a house rather than renting it since they would then have equity in it. She stated the Township would also have to make sure that they are doing what they should. She stated she does not see a volunteer board taking over this responsibility, and the Township would have to take this over. Mr. Marshall stated every solution has costs. He stated he agrees this is a complex issue and every solution or use has an impact and a downside.

Mrs. Godshalk stated when Bucks County purchased Tyler Park, there were many beautiful stone homes, and they did a program of trying to rent them and many had to be destroyed because of the impact of the tenants. Mr. Marshall stated while this is correct, a lot of this was because DCNR's Budget did not include historic structures as their mission was to preserve natural areas. He stated Lower Makefield has a broader vision of what they are trying to preserve. He stated they still have a resident/curator program in a number of the buildings at Tyler which are still standing, and there is a waiting list for virtually all of them.

Mr. Santarsiero stated whatever they decide, he feels the goal should be sustainable farming for years to come. He feels if there are people there that have a purpose of maintaining the farm and working it, they will maintain the house; and the Township can stay on top of this in terms of management. He stated depending on what is decided as for the use of the houses by either a tenant or curator, will determine the cost of upkeep and renovation. He stated the public should not feel that they are looking necessarily at costs of \$800,000 to \$1 million and it may be considerably lower if they have someone living in the structure. He stated when they began the original Heritage Conservation review of all the Township historic sites, one of the overlying goals many had for the Patterson Farm was to maintain the historic integrity of the Farm, and he feels this is very important and when they start selling off pieces of the Farm, he feels they are destroying the integrity of the Farm. He feels while it is true farmers do the actual day-to-day management, when he was the liaison to the Farmland Preservation Corporation they did a lot of work on a monthly basis and they discussed issues with the farmers who rented their land and were very hands on in terms of their management and much more hands on than the Township could be. He stated this is why he feels Farmland Preservation Corporation is a good alternative for the day-to-day management of the tillable acreage.

Mr. Tony Bush, Stakeholders Committee Member, joined the meeting; and Mr. Smith asked about the protections currently on the property. Mr. Bush stated he was surprised to learn that the property itself had not been preserved. He stated when the property was

purchased in the 1990's, the community was led to believe that the land was being preserved as a farm. He stated when you look at the documents which were presented to the Committee, it appears at the time of the acquisition a life estate was given to the Pattersons which extinguished with their death. Subsequently 70 acres were in fact preserved, but this still leaves the overwhelming majority of the Farm as not preserved. He stated if there was a common thought all the Committee agreed upon it was that the tillable acreage should remain farmland.

Mr. Stainthorpe stated the land is preserved and while it may not be properly protected for the future, it is currently preserved. He stated Mr. Marshall has made some good suggestions. He stated if they can sell a Conservation Easement to the County, this would be great although he does not feel they will do this; he stated the idea of a donation of an Easement is excellent as well. He stated the land is preserved, although he agrees it could be better protected.

Ms. Torbert stated legally the land is not permanently protected, and she would be interested in the Solicitor's option on the options that could be considered.

Mr. Smith moved that the Solicitor begin the preparation of an Ordinance that will at the very least protect the lands and maintain the tillable farmlands as what they are now and what we want them to be forever. There was no Second.

Mr. Stainthorpe stated he does not feel an Ordinance would affect this, and he would suggest that they move forward with some kind of Conservation Easement. Mr. Smith agreed.

Mr. Truelove suggested that instead of an Ordinance, they proceed with the appropriate legal means necessary. He stated he asked Mr. Donaghy, who is an expert in real estate and zoning law, to review this matter specifically and give the Township his opinion as to what the restrictions, if any, mean and to explore what options may be available to the Township to be able to preserve it and give "teeth" to the protection.

Mr. Santarsiero moved and Mr. Smith seconded to authorize Mr. Donaghy to undertake the work outlined by Mr. Truelove for protection of the farmlands.

Mr. Stainthorpe stated he recognizes the need to protect the land, but does not feel there is anything that would change the status of the land in the near future. He recognizes the need to move forward with better protection, but noted they have no intention of turning it into athletic fields or selling it to a developer in the near future.

Mrs. Godshalk stated she was instrumental in purchasing the land with the covenants and feels it would be restricted. She stated the Farmland Preservation Corporation Ordinance would have to be changed in order for the land to go in there because it was set up for

developers; and the Farmland Preservation Corporation does have the right to put this to a Referendum to sell it according to the Ordinance if there are no more farmers.

Mr. Smith stated the mission of Farmland Preservation Corporation is to preserve farms. He stated they are considering conveying the management of the farmland to Farmland Preservation Corporation – not the ownership.

Mr. Zachary Rubin, 1661 Covington Road, stated he supports the Motion to preserve the tract as a farm. He stated he does not feel they should reject using the preserved farmland as an educational facility. He stated rather than looking at the Howell Farm as a model, he noted the Fox Chase Farm in Philadelphia which is part of the Fairmount Park Commission. He stated it is run by the School District of Philadelphia which also funds it and manages it. He stated it is a functioning farm which is preserved for the children of Philadelphia so that they can see a working farm. He stated the Budget is in the School District which allocates \$250,000 a year to run this farm which pays for one full-time farmer, one classroom teacher, and two classroom aides. He stated there are a number of interns and volunteers, particularly in the summer, who work there for free. He stated he would be willing to make contact with the Philadelphia School District to look at this facility. He stated this would be a perfect way to have cooperation between the Township and the Pennsbury School District.

Mr. Santarsiero stated Penn State extension, Del Val, and the Tech School are also possibilities which could be explored. Mr. Smith stated nothing has been rejected at this point. Mr. Truelove stated there a number of programs at Universities which utilize farms with local cooperation.

Motion carried unanimously.

Mr. Smith asked Mr. Truelove how soon he could report back to the Board, and Mr. Truelove stated he feels they could submit a preliminary report by the second meeting in October at the latest. Mr. Marshall was asked to make his Committee available to Mr. Donaghy.

Mr. Santarsiero stated he agrees that the Farm is preserved, and the current Board will not sell or develop it; and he would not want to rush the process and wants to make sure that the research that is done and the approach ultimately adopted will ensure that there is a binding legal document that prevents future Boards or anyone else from doing anything to the Farm.

Mr. Truelove suggested that they wait to make any final decision until after the November Referendum as this may provide some additional options.

Mr. Marshall stated if they try to go through the County Ag Preservation Program, they do have an end of the year Application for ranking the farms so this timeframe will work well.

HARMONY LANE SUBDIVISION – GRANT EXTENSION OF TIME

Mr. Stainthorpe moved, Mr. Caiola seconded and it was unanimously carried to grant an extension to Harmony Lane Subdivision to 12/7/07. Mrs. Godshalk was not present for the vote.

DEFER REQUESTS FOR DEDICATION FOR DEERBROOK AND WILSHIRE GLEN

Mr. Truelove noted the letter dated 8/30/07 from the representative for the Applicants requesting that these matters be deferred for two weeks.

Mr. Stainthorpe moved, Mr. Santarsiero seconded and it was unanimously carried to defer requests for Dedication for two weeks for Deerbrook and Wilshire Glen. Mrs. Godshalk was not present for the vote.

SIGNING OF MYLARS FOR SHADYBROOK FARM PRELIMINARY/FINAL LOT CONSOLIDATION AND MINOR SUBDIVISION PLAN

Mylars were signed following the meeting.

ZONING HEARING BOARD MATTERS

With regard to the Joe and Jody Fonte, 1174 Temple Drive, Variance request to construct an in-ground pool and decking resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Anthony and Karen Zamparelli, 14 Brook Lane, Variance request to construct an addition resulting in greater than permitted impervious surface, it was agreed to leave the matter to the Zoning Hearing Board.

With regard to the Eric and Denise Trimble, 597 Barn Drive, Variance request to construct an in-ground pool and 3 foot walkway resulting in greater than permitted impervious surface request, it was agreed to leave the matter to the Zoning Hearing Board.

Mr. Santarsiero moved, Mr. Caiola seconded and it was unanimously carried to have the Solicitor participate in opposition to the Rick Van Horn, 584 Heacock Road, Variance requests to permit the Subdivision of property resulting in encroachment into wetlands/watercourse buffer and requesting that setbacks be measured from limits of Waters of the United States.

SUPERVISORS REPORTS

Mr. Stainthorpe stated the Cable TV Board has lost a number of members through resignations, and they need to work diligently to get a full Board. He stated since they do not currently have a Chairman or Vice Chairman, he is calling the next meeting which will be held in October.

Mrs. Godshalk stated the Planning Commission considered the Woodside Presbyterian Church addition, and their request for additional parking in the area proposed would go out into the entrance between the two shopping centers. She stated she was opposed to this since it is one of the main entrances to McCaffrey's. They are going to look into changing this to a less busy area near the Grange to go out into the area behind the Giant Shopping Center. Mrs. Godshalk stated she felt they were going to review the consultant's report on the potential sale of the sewer system this evening, and Mr. Fedorchak stated he anticipates that the Consultant will submit his report in November or December.

Mr. Santarsiero stated the Citizens Traffic Commission will have a special working meeting next Monday to work on their report to the Board of Supervisors. Hopefully they will present the report sometime in October.

Ms. Sue Herman stated she learned during the meeting break this evening that the contractor for the Lindenhurst Road Traffic Calming has already asked for an extension because of how busy they are. Ms. Herman stated she questions whether Politicians, possibly at the State Representative level, are "putting the brakes" on the project until after the Election which would mean they would lose the construction season. She asked that the Board not grant any extensions. She reviewed the dangerous conditions on Lindenhurst Road. Mr. Majewski stated he received a request for extension in writing last week. He stated there was a delay from PennDOT, and the contractor requested a 28 day extension although they were only delayed for 10 days. They would still be able to complete the project by October if they were given a 10 day extension. Beyond that, there is a \$1,000 per day fine for non-completion of work. It was the consensus of the Board of Supervisors that they should deny the request for extension.

Mr. Santarsiero stated the Citizens Traffic Commission considered a traffic situation at Lower Hilltop Road; and hopefully by the end of September/early October, they will

have permanent signs that will indicate that there will be no left hand turns onto Lower Hilltop Road from Dolington Road during morning rush hours. He stated they will have a temporary sign installed advising that this situation will be in place shortly. He stated there has been a problem with people cutting through the development to get down to Taylorsville Road and to I-95 during morning rush hours. He stated this is creating a hazardous situation in the development, particularly with school children waiting for buses. Mr. Fedorchak stated this will be in force from 6:00 a.m. to 8:00 a.m. Monday to Friday. Chief Coluzzi asked that the Board vote this evening to have this placed into their Code Book in order to make the enforcement permissible by the Police.

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to place this into the Police Code Book

Mr. Smith noted there is also a problem with speeding on Hidden Oaks Drive which connects Bluestone to Lang Road. Mrs. Godshalk stated Hidden Oaks Drive is very wide, and they may want to consider a traffic circle in this area which would slow down traffic. The Citizens Traffic Commission was asked to look into this.

Mr. Caiola stated the Farmer's Market will continue to be held on Thursdays until the end of September.

Mr. Smith stated Elm Lowne will hold their "Taste of Elm Lowne" on October 5. He also noted that the Regional Traffic Task Force will hold their Open House at Richboro Elementary on September 20. He noted the Zoning Hearing Board will meet on September 18, and the Marrazo issue will be on the Agenda.

OTHER BUSINESS

Mr. Ken Martin, Austin Road, stated with regard to Lower Hilltop, the problem also exists in the afternoon. It was agreed they will look into this.

Mr. Smith asked the status of the Entrance to the Township signs, and Mr. Fedorchak stated he will look into when they will be ready to make this presentation.

Mr. Smith noted the deer issue will be considered by the Board of Supervisors at their next meeting to be held September 19, 2007.

September 5, 2007

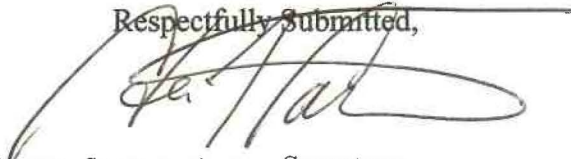
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APPOINTMENTS

Mrs. Godshalk moved, Mr. Santarsiero seconded and it was unanimously carried to appoint Ron Schmid as the Alternate for Scott Burgess on the Flood Task Force.

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

Respectfully Submitted,



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

**AUGUST 2007 WARRANT LISTS AND
JULY 2007 PAYROLL COSTS FOR APPROVAL
SEPTEMBER 5, 2007 BOARD OF SUPERVISORS MEETING**

8/6/2007 Warrant List	\$ 770,832.98	
8/07 Manual Checks	217,351.00	
8/20/2007 Warrant List	820,401.63	
Total Warrants & Prepaids		1,808,585.61
<u>PAYROLL COSTS:</u>		
JULY 2007 Payroll	310,932.16	
7/07 Payroll Taxes, etc.	135,745.31	
Total Payroll Costs		<u>446,677.47</u>
TOTAL TO BE APPROVED		<u>\$ 2,255,263.08</u>

