

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES – DECEMBER 5, 2005

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 5, 2005. Chairman Stainthorpe called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 7:00 p.m. discussing legal matters.

Those present:

Board of Supervisors: Pete Stainthorpe, Chairman
 Scott Fegley, Vice Chairman
 Grace Godshalk, Secretary/Treasurer
 Frank Fazzalore, Supervisor
 Steve Santarsiero, Supervisor

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

PUBLIC COMMENT

Ms. Dana Weyrick, 729 Stewarts Way noted the comments in the Bucks County Courier Times regarding the Budget. She stated she does not want taxes going up all the time and the Board of Supervisors should listen to the taxpayers and not just what the Department Heads want. Mr. Bob Slamen stated he agrees. Mr. Santarsiero stated it was not a matter of only listening to the Department Heads and giving them what was on their wish list. He stated there was a Draft Budget for each Department and each Department Head came in and explained the items. The Board of Supervisors then decided what they would approve and what they would not. He stated the initial Budget presented to the Board proposed a 3.75 mill increase, and throughout the Budget meetings they were able to get it down to 1.8 mills. He stated this was not an easy Budget and none of the Supervisors are happy with having to approve a millage increase. He stated they feel that in order to maintain the level of services they need in the Township, this was appropriate. He stated they also hope to find alternative revenue sources. Mr. Fazzalore stated they saved \$100,000 on health insurance and cut gasoline by 50%; but other than that, they only transferred monies from one fund to another. He stated he feels the Township needs to live within its means. Ms. Weyrick stated she does not feel the case for extra Police Officers has been made. Mr. Santarsiero stated the process began with open sessions to which the public are invited to attend although few did. He stated they then publish a copy of the Budget which was done at the last meeting in order to allow the public to review it and make comment. He stated the public can propose changes they feel could save on the increase currently proposed. He stated he feels the Board has looked at this but did not feel there was more they could do to reduce this number. He stated the

Budget could have been proposed as originally presented; but by going through the Budget, they found that fuel costs were overestimated and there should be a reduction. He stated the Board did everything they could as a Board to keep the increase to a minimum. He stated they are still willing to listen to suggestions from the public.

Ms. Virginia Torbert asked how much detail they get into in terms of the individual Department Budgets. She noted with regard to the Public Works Department she is aware that there is a lot of leeway and employees have the choice of working during the week or working on Saturdays; and if they work on a Saturday, they will be paid time and a half. She feels this should be tightened up. Mr. Fedorchak stated the only times their employees would be working on a Saturday would be during leaf pick-up when a vast majority of those working on a Saturday are temporary employees which they get from a temp agency; and the amount paid to them is the same regardless of the day they work. He stated the other time people would be working on a Saturday or Sunday would be for snow removal. He stated the rest of the year there is a Monday through Friday schedule. Ms. Torbert stated she is not talking about those instances. She asked if they are looking at the total number of hours of overtime in each Department. Mr. Stainthorpe stated they look at the overtime in all the Departments, and this is part of how they determine where they need to add people. Ms. Torbert asked if they are looking at how the Departments are managed; and Mr. Stainthorpe stated they do, and it is a line-by-line examination which is why it takes several Budget workshops to complete. Ms. Torbert stated her understanding is that employees have a choice of working during the week or working on Saturday. She stated in other Townships, the Budget Work Sessions are held at times which are more convenient for the public to attend. She stated most of the Budget sessions which Lower Makefield held were at 4:00 p.m. or 5:00 p.m. which is not very convenient. Mr. Stainthorpe stated there are some difficulties with scheduling because of other Township Boards. He stated they did have nine to ten people at the first meeting but no one at the subsequent meetings. He would suggest that for next year they try to schedule one or more of these meetings in the evening. Mr. Santarsiero stated they also need to get it done in time to meet the legal requirements. He agreed they will work toward having these at a more convenient time. Mr. Fazzalore stated next year they will be televising the meetings as well. Mrs. Godshalk stated it is also difficult to get the Supervisors at evening meetings because they each have an average of three to four Liaison meetings which they must also attend.

Mr. Bob Slamen stated starting at 3 mills and going to 1.8 mills is not sufficient. He stated he does not feel anyone in the Township has received a 16% pay raise. He stated under the old system this would be an 8 mill increase, and this has never happened in the Township in the past. Mr. Santarsiero stated there was a \$70 increase in 1999 and a higher amount in the early '90s. He stated no one is happy with having to do this, but with a Township of 33,000 residents, there are certain services they need to maintain. He stated they invite the public to look at the Budget and make recommendations.

Ms. Weyrick stated she is concerned that this is just the local level and they have increases for the School taxes and the County taxes. She stated she feels they need to look at spending in the Township. She is concerned with the elderly residents who are on fixed incomes. Mr. Santarsiero stated he does not feel they disagree in terms of wanting to avoid a tax increase, but he does not feel there is any excess in the Budget. He stated the Board of Supervisors is not responsible for tax increases by the County and the School District.

Mr. Fegley stated at times other than Budget time, residents are present at meetings requesting the Township to construct new soccer fields, restore historic properties, etc, with no concern with the impact on taxes and increases to the Budget. He stated the Board must keep in mind the demands of the various constituents. He stated there was no Township tax increase for the last fourteen years other than the increase to pay for the Patterson Farm which was approved by Referendum. He stated the costs for everything have gone up in the Township just like they have for everyone else. He stated every year he has been a Supervisor, they have gone through a line-by-line examination of the Budget trying to cut costs.

Mrs. Godshalk stated if the Patterson Farm had not been purchased by the Township 250 homes could have been constructed on that property which would have equaled much more than a \$90 tax increase in terms of additional school children. She stated the Golf Course could also have been developed into an additional 400 to 900 homes so the Township has helped the overall taxes of everyone living in the Pennsbury School District.

Mr. Stainthorpe stated discussions about the Budget are healthy, and the public should come in and challenge the Board. He stated the Board is trying to do their best.

Mr. Gary Cruzan stated he feels it is unfortunate that there are not more Senior Citizens present because he has talked to many of them and they cannot really afford any more in taxes. He stated he does not see the need for two additional Police Officers. He stated there must be an effort to hold taxes down because it does impact property values.

Mr. Santarsiero stated maintaining public safety in the Township also keeps property values high. He stated given trends they have seen, it is prudent to insure there are sufficient Police Officers. Mr. Cruzan stated the reason it is not easy for them to understand the need is because often in the paper it states "No Crime Reported."

Mr. Santarsiero stated the crime report the Board gets on a weekly basis shows there is a need for additional officers. Mr. Fegley stated the Police are often the first people on the scene for other emergencies as well and not simply crime situations. He stated they did discuss this request with Chief Coluzzi who had to make his case on the need for the two additional Officers.

Mr. Fedorchak stated he is available to discuss the proposed Budget in detail, and he would encourage the public to contact him.

APPROVAL OF MINUTES

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to approve the Minutes of November 21, 2005 as written.

Mr. Santarsiero moved and Mr. Stainthorpe seconded to approve the Minutes of the October 31, 2005 Budget Work Session as written. Motion carried with Mrs. Godshalk abstained.

Mr. Santarsiero moved and Mrs. Godshalk seconded to approve the Minutes of the November 14, 2005 Budget Work Session as written. Motion carried with Mr. Fegley abstained.

PRESENTATION OF \$750,000 GRANT AWARD FOR THE GARDEN OF REFLECTION

Mr. James Morse, Field Representative, was present noting that Congressman Fitzpatrick sends his regrets as he was unable to attend the meeting this evening. Mr. Morse presented to the Board of Supervisors a check in the amount of \$750,000 toward construction of the Garden of Reflection. On behalf of the Congressman, he thanked the Board for their support of the project as well. Mr. Stainthorpe asked that he extend their thanks to Congressman Fitzpatrick for his hard work in procuring this for the Township and enabling them to finish the construction of the Garden of Reflection.

PRESENTATION OF PROCEEDS FROM GARDEN OF REFLECTION 5K RUN

Mr. Greg Tarallo and Ms. Cheryl Chase, NetStride, presented a check in the amount of \$10,200 for the Garden of Reflection. Mr. Tarallo gave special recognition to Dr. Gina Genin who was their main sponsor for the 5K Run.

Mr. Stainthorpe stated it is very gratifying that the public in general is supporting this project.

DISCUSSION AND AWARD OF CONTRACT FOR CERTAIN ALTERNATIVES RELATIVE TO THE CONSTRUCTION OF THE GARDEN OF REFLECTION

Ms. Liuba Lashchyk, Ms. Ellen Saracini, and Ms. Clara Chirchirillo were present. Mrs. Godshalk stated the General Contractor agreed to extend the Alternates at the time they awarded the first bid. Ms. Saracini stated they will be able to include the Alternates now that they have received the Grant. She noted the following Alternates will be included as an addition to the Base Bid Contract:

Alternate 1: Spiral Walk	\$ 30,000
Alternate 2: Outer Ring Display Railing (3,000 Names)	\$215,000
Alternate 3: Metal Ridge Plate on core berm	\$ 34,000
Alternate 4: Metal End Plates 1, 7, 8a & 8b	\$ 90,000

She stated they have an additional alternate for security lighting but they want to review this further since they feel the pricing is too high, and they will come back for this item in the future.

Mrs. Godshalk stated the names will be listed alphabetically, etched in glass. Ms. Saracini stated the seventeen Bucks County residents' names will be at the core and will be included in the 3000 names as well. She stated they will also make note of all the people from Pennsylvania among the 3000.

Mr. Fazzalore moved and Mr. Santarsiero seconded to award the alternate bids in the amount of \$369,000 to Building Restoration, Inc.

Mr. Santarsiero asked if there are other alternates beyond these that they wish to pursue, and Ms. Saracini stated in addition to the security lighting other items include benches and a donor wall. Mr. Stainthorpe stated he understands that they will continue to do some additional fundraising and suggested that they put together a maintenance fund to maintain this in perpetuity. Ms. Saracini stated they would like to do this and will continue the 5K Run, Golf Outing, etc. and they do anticipate that they will set up a maintenance fund. Mrs. Godshalk stated they also have private donations and a Landscaping Grant. She stated it has been suggested that they install a well and watering system and they hope to have this donated. Mr. Fazzalore suggested that this maintenance fund be set up apart from the other Township funds.

Motion carried unanimously.

PRESENTATION OF ENVIRONMENTAL ADVISORY COUNCIL'S NATIVE PLANT PROPOSAL

Mr. James Bray of the Environmental Advisory Council (EAC) was present. He stated Miles Arnott, Executive Director of Bowmans Hill Wildflower Preserve, was scheduled to attend, but due to the inclement weather, Mr. Bray suggested that he not attend this evening. Mr. Bray reviewed his background. He stated the EAC is requesting that Lower Makefield approve a Native Plant Ordinance whereby the use of native species would be required in all projects falling under the Township's Subdivision and Land Development statutes and that the Township include appropriate wording in the statutes. In general, this would apply to new development projects, He stated they are not asking

the Township to remove existing plants; however, when through attrition non-native plants have died, they would ask that they be replaced with native equivalents. They are also not requesting Township homeowners to plant native species; however, it is the opinion of the EAC that leading by example will help Township residents learn about the merits of the project and will then follow suit. They have already added native plant lists to the Township Website and have included this information as well on an information rack in the Township lobby. As part of the next year's EAC Lecture Series, they intend to have guest speakers discuss native plants and rain gardens. He stated information has already been provided to the Board in their packets on the benefits of native plants including hardiness, lower maintenance, replacement costs, heritage issues, and helping to restore the ecological balance. He stated in recent years a number of government agencies have mandated the use of native plants including Yardley Borough, Solebury Township, and Fairmount Park in Philadelphia. He stated the EAC will work with the Township solicitor to supply necessary information. He thanked Mr. Fedorchak and the members of the EAC for their work on this project. He also thanked Mr. Fegley for his help noting that Mr. Fegley was the founder of the EAC. He stated PCS was also very helpful as they had a landscape consultant who has been very helpful and is a native plant enthusiast who has reviewed the proposal and helped shape it.

Mr. Stainthorpe stated he did review the Solebury Ordinance as well as the list of plants that would meet the criteria and it appears that there is a good choice of permitted plants. He feels this is a sound idea but would like to hear if there is a down side such as limiting what homeowners can plant. Mr. Bray stated this would not apply to homeowners who are free to plant anything they want on their properties under this Ordinance. He stated they would recommend that this would apply to new developments. Mr. Stainthorpe asked the current practice of builders, and Mr. Fegley stated normally they use whatever is the least expensive. Mr. Fegley stated this Ordinance would pertain only to developers and the Township itself. Mr. Santarsiero stated hopefully the homeowners will then follow along as well.

Mrs. Godshalk stated there is a list of what the builders are currently permitted to install. She stated she does not feel that requiring only native species will stop invasive species since it seems they are in the earth. She noted a number of trees that are currently in the Township which are not native but are very attractive trees. Mr. Bray stated while certain trees are not native, there are other trees which would be similar in appearance to introduced species which are equally as beautiful. He stated the problem with introduced species is for many of these species they have a relatively short history with them and they do not know what will happen in the future. He noted problems with multi-flora rose which were introduced in the 1920's and 1930's and are just now creating problems. He stated native species have stood the test of time and the end result is cleaner water and cleaner air.

Mr. Santarsiero stated he feels that they have done an excellent job putting this together, and he feels they should pursue this.

Mr. Mark Gallagher, 1902 Sylvan Terrace, stated he is present in support of this Ordinance which he feels is late in coming to the Township and Pennsylvania. He stated this is a very proactive move. He stated a lot of money is being spent on eradicating evasive species.

Ms. Sue Herman stated she feels this is a very good idea and will help the environment.

Mr. Santarsiero stated they could use this when they develop Memorial Park

Mr. Fegley stated creating the EAC is what he is most satisfied with and he thanked the EAC for their hard work.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to authorize preparation of a Draft Ordinance.

PRESENTATION OF 2006 GOLF COURSE BUDGET

Mr. Tom Saathoff, Regional Director of Operations KemperSports Management, was present. He introduced Mike Collins, the new General Manager of the Golf Course. Mr. Collins thanked the Township for their support.

Mr. Saathoff stated currently they are projecting \$2.59 million to \$2.6 million against a Budget of \$2.45 million. Salaries are projected to be \$800,000 against \$845,000 Budgeted. All other expenses are projected at \$620,000 for 2005 against \$585,000 . Currently they are projecting \$915,000 against a Budget of \$825,000. This does not include the interest payment.

Mr. Brendan Curley, Marketing Director, stated Makefield Highlands is a unique property. He stated they are proposing a small price increase for non-residents and are looking to increase outings at the facility. They currently have 8,000 active e-mail addresses, and this will permit them to advertise less in the future. Mr. Fazzalore asked how they can increase Golf Outings noting that he has had discussions with a number of people who have expressed concern that the Clubhouse is not large enough for certain functions. Mr. Curley stated they will continue to look at this. Mr. Santarsiero stated they must insure that the Golf course meets its projections before they put in any additional money to the facility. Mr. Fazzalore stated if they do not have the right facility, they will not be able to attract big outings. Mr. Santarsiero stated the Plan was adopted with the current facility as it exists and with the understanding that they would pay the debt down without having to expand the clubhouse.

Mr. Fazzalore asked when the first big payment of principal and interest will come due, and Mr. Fedorchak agreed to look into this. Mr. Fazzalore stated he feels it is in 2008.

Mr. Stainthorpe questioned why they are proposing to cut in half advertising in certain golf publications, and Mr. Curley stated they intend to do more marketing with electronic mailings. He stated in the beginning it was an awareness campaign.

Mr. Saathoff noted when they hired Mike Collins as the General Manager they consolidated two positions into one as he will be the General Manager and Director of Golf. They will re-allocate some of the funds saved to the Food and Beverage Operation. Course and Grounds Department was noted, and Mr. Saathoff stated they are asking for additional payroll in this Department as well and would like a second Assistant Superintendent and additional hourly payroll as they feel with the number of rounds being played, there is a need for additional personnel in this area. There are also some increases because of the increased costs of chemicals, gas, and oil. Mr. Saathoff stated total Operating Expenses with Payroll will go up approximately 10%.

Mr. Saathoff noted the increase in Payroll in Food and Beverage where there is a 35% increase. He stated they are moving the Payroll from the Golf Shop to Food and Beverage. He noted Mr. Bannon previously spent a good portion of his time in this area, and Mr. Collins will not have time to do this. He stated they need to get more people in this Department. Mr. Stainthorpe asked what specifically they are proposing in this Department, and Mr. Saathoff stated this will include bartenders, servers, and people in the kitchen. He stated with the new staffing plan payroll will increase 6 ½% and Operating increase will be approximately 3%.

It was noted in the discussion that the Board may not have been provided with the most recent numbers, and Mr. Saathoff agreed to provide these to the Board at the next meeting.

Mr. Frank Draper, Golf Committee, thanked Kemp for putting together the Budget which the Golf committee approved with the recommendation that they look carefully at the bottom line and expense controls.

Mr. Zachary Rubin, 1661 Covington Road, stated the original Contract between the Township and Kemper called for financial incentives to Kemper and asked if they were met for 2005. Mr. Saathoff stated they were met for 2005, and Mr. Fedorchak agreed to provide the exact number. Mr. Rubin asked about the loan and asked if they are considering locking in the rest of the bond at a fixed rate since rates are rising. Mr. Stainthorpe stated they did lock in half of the amount. Mr. Santarsiero stated he feels they will have to revisit this to see if it makes sense to lock in additional money.

Mr. Santarsiero asked about the proposed increase in fees for non-residents adding he feels the numbers show they are doing well with residents but not as well with non-residents and an increase in fees could affect this negatively. Mr. Curley stated they did do a utilization study they feel the Course can support this kind of increase.

Mr. Draper stated the Golf Committee feels it is important to maintain the product to justify the price increase.

Mr. Curley stated when they conducted their last survey they received 700 responses and this year they received 1000 which is excellent. He stated the majority of those responding indicated they wanted them to continue to maintain the Course.

Mr. Fazzalore noted the view of the berms along Woodside Road which he does not feel make a good appearance when driving up Woodside Road. He stated it was recently cut and made a much nicer appearance, and he would recommend that they continue to work on making a better impression with the berms that face Woodside Road. Mr. Fegley stated he agrees that once you get past the berms, it is very attractive.

Mr. Fegley stated there were early concerns with the pace of play, and Mr. Draper stated this is always a concern at any facility and they need to carefully watch and manage this. He stated Mr. Collins is aware of this. He stated the rangers need to be one site to maintain the pace of play. Mr. Curley stated with 40,000 rounds, there will be times when it is a little slow.

Ms. Weyrick noted the consolidation of General Manager and Golf Pro and asked how this impacted balances. Mr. Stainthorpe stated there was a savings on this. Ms. Weyrick asked if they can be told the salary being paid, and Mr. Stainthorpe stated Mr. Collins is a Kemper employee and not an employee of the Township. Mr. Saathoff stated there will be a savings to the Payroll although they are adding payroll in other Departments. It was agreed that they could provide information on gross payroll and the number of employees at the Golf Course.

Ms. Sue Herman stated she is in favor of the way the Golf Course looks along Woodside Road and stated she likes the natural appearance.

Mr. Fazzalore asked what would happen if Mr. Collins was giving a lesson and some crisis occurred at the Course. Mr. Saathoff stated there is back-up staff for teaching, and Mr. Collins recognizes that the facility comes first.

AWARD BID FOR INSTALLATION OF TRAFFIC SIGNAL AT LINDENHURST ROAD AND WOODSIDE ROAD

Mr. Majewski stated two bids were received. The money will come from the Grant received by the Township.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to award the bid for installation of traffic signal at Lindenhurst and Woodside Roads to Armour & Sons Electric in the amount of \$67,771.

AWARD BID FOR DEMOLITION OF THE BANKO HOUSE

Mr. Fedorchak stated the Township received six bids.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to award the bid for demolition of the Banko House to Heartland Demolition in the amount of \$16,335 and to Schultz Demolition for asbestos removal and capping the well in the amount of \$3,000.

APPROVAL OF EXTENSIONS – FLOWERS/MADANY TRACT, CLOVER TRACT, LOTUS TRACT, FIORELLO GROVE SUBDIVISION

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to approve Extensions of time as follows:

Flowers/Madany Tract, Washington Cross Road to 3/20/06
Clover Tract, Big Oak Road and Acorn Drive to 4/7/06
Lotus Tract, Big Oak Road 600 ' west of Acorn Drive to 4/7/06
Fiorello Grove Subdivision, Big Oak and Derbyshire Roads to 4/21/06

DENY REQUEST FOR DEDICATION FOR HIDDEN POND ESTATES AND THE WOODS AT MAKEFIELD

Mr. Santarsiero moved, Mrs. Godshalk seconded and it was unanimously carried to deny the request for Dedication for Hidden Pond Estates and The Woods at Makefield due to reasons set forth in Nancy Frick's memo dated 12/2/05.

DISCUSSION AND DENIAL OF REQUEST OF CLAIRE HADIDA TO FORGIVE PENALTY FOR LATE PAYMENT OF TOWNSHIP AND COUNTY TAXES

Mr. Fegley stated that since Ms. Hadida is a client in his personal practice, he will excuse himself from the discussion.

Ms. Hadida stated she has always paid her taxes early in order to get the discount and wrote a check on 4/16/04 for the discount amount. She provided a copy of her checkbook register. She stated she subsequently found out that this was never received. She stated when she called the Tax Office she was told she would have to pay the penalty rate unless the Board of Supervisors would excuse it.

Mr. Koopman stated the Township does not have the right to forgive the penalty on the County tax.

Mr. Fazzalore stated they have had a number of similar requests in the past which have been denied because of concerns with setting a precedent. Mr. Stainthorpe stated he too is concerned that if they start to grant waivers, they will get a number of people making similar requests. Mr. Santarsiero asked if Ms. Hadida would be willing to execute an Affidavit to state that she sent this in on the date noted in her Checkbook Register, and Ms. Hadida agreed she would do so. He stated given this and the copy of her Checkbook Register, he would move to grant the relief. The Motion died due to lack of a second.

AUTHORIZE DRAFT ORDINANCE REQUIRING LOCK BOX KEY FOR MULTI-DWELLING UNITS

Chief Coluzzi stated that under the International Fire Code which was adopted there is a requirement for a lock box for multi-dwelling units and he asked that the Board authorize drafting such an Ordinance.

Mr. Santarsiero moved, Mr. Fazzalore seconded and it was unanimously carried to authorize the Draft Ordinance as requested by Chief Coluzzi that requires a lock box key for multi-dwelling units such key to be held by the Chief of Police.

APPOINTMENT OF AUDITOR

There was discussion on the possibility of changing the Auditor at this time; however, Mr. Fedorchak stated it would take three to four months to get a new Auditor on board.

Mr. Fazzalore moved, Mr. Santarsiero seconded and it was unanimously carried to appoint Maille Falconiero to do the Audit for 2005 as their final year, and that they begin the process of having a new Auditor for next year.

There being no further business, Mr. Santarsiero moved, Mr. Fegley seconded and it was unanimously carried to adjourn the meeting at 9:20 p.m.

Respectfully Submitted,

Grace Godshalk, Secretary

