

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - MARCH 18, 2002

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on March 18, 2002. Chairman Fegley called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 6:30 p.m. conducting interviews and discussing legal matters.

Those present:

Board of Supervisors: Scott Fegley, Chairman
 Grace Godshalk, Vice Chairman
 Wes Hackman, Secretary/Treasurer
 Frank Fazzalore, Supervisor

Others: Terry Fedorchak, Township Manager
 Jeffrey Garton, Township Solicitor
 Bob Williams, Township Engineer
 Kenneth Coluzzi, Chief of Police

Absent: Pete Stainthorpe, Supervisor

PUBLIC COMMENT

Ms. Patricia Rambling, Pond View Court, stated her home backs up to Stony Hill Road where there have been a number of accidents near the intersection with Bluestone Drive. She had contacted the Police Department who advised that PennDOT did a survey but would not agree there should be a reduction in the posted speed limit. Mr. Fedorchak suggested a traffic signal at this intersection. Ms. Rambling stated while she is not sure she would like to see a signal at this location, she does agree it may be necessary. Mr. Fegley noted PennDOT would have to approve this. Mr. Hackman stated it seems part of the problem is speeding on Stony Hill Road; however, this is compounded by the fact that the number of cars coming out at this point is increasing. Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to authorize the Township engineer to do a traffic study on Stony Hill Road to see if a traffic signal is warranted at Stony Hill and Bluestone Drive.

Mr. Paul Krupp, University Drive, noted the article in the Trenton Times last week which stated Mercer County has received a letter indicating that within the next few days they will receive the Environmental Assessment Report for the Mercer Airport expansion. Mr. Krupp stated there will be a thirty day period for the public to make known their concerns. He stated he plans to ask for an extension of time since they feel this will be a voluminous report because of the length of time it took for them to complete the study and they would like extra time to review it. Mr. Krupp stated the Board of Supervisors previously adopted a Resolution supporting their activities in connection with this matter. Mr. Fegley stated once they have the Environmental Assessment, they will have their engineer review it. Mr. Krupp agreed to provide a copy of the Study to the Board as soon as it is received. Mr. Hackman stated the Township may also want to request an extension. He stated possibly the Bucks County Commissioners should also be involved.

Mr. William Dayton, Falls Township, stated he is present regarding the Police Team recently approved by Lower Makefield. He stated they have suspended the Team in Falls because of concerns they had with the training of the Team and the lack of availability of the policy manuals and command information. Mr. Fedorchak stated he is aware of a number of their concerns and he did pass this information onto Chief Coluzzi. Mr. Dayton stated while he cannot discuss all of the issues of concern, it did take a lot of money to find out some of the information. Mr. Hackman asked that the Chief review these issues and report back to the Board of Supervisors. Mr. Dayton stated he feels the intent of the organization is good, but he is concerned about the administration of the program and this is where they are having problems with their insurance carrier. Mr. Dayton agreed to provide some additional information to the Township Manager who will pass this on to Chief Coluzzi. Chief Coluzzi stated all of the other Townships have the same insurance carrier and they have had no problems.

Ms. Virginia Torbert asked the status of the Ambulance Squad since she has heard that Lower Makefield Township is down to one ambulance and Lower Makefield residents are being served by other Townships. Mr. Fazzalore stated it is possible that someone calling from Lower Makefield could get a response from a different Squad depending on their location. Mr. Fegley stated the Emergency Squad is making improvements in the financial area. Mr. Fazzalore stated he sits on their Board, and they are on the road to financial recovery. He stated there will be a Board meeting toward the end of the month, and he will get more detailed information at that time. Mr. Fegley stated the Board of Supervisors will continue to give the Squad their support. Mr. Fedorchak stated for the last two years they have been fully staffed in order to meet emergency needs and they have all the equipment they need. Mr. Fegley stated they are no longer in the transport business. Mr. Fedorchak stated he has not been advised of any problems. He noted the County Public Service Agency came out with a report regarding response time, and he believes the trend in Lower Makefield is that response time has improved over the last few years. Mr. Fazzalore agreed to report back to the Board of Supervisors after his meeting with the Squad.

Ms. Sue Herman thanked the Township for the offer to residents to comment on the Intergovernmental Agreement. She asked if any changes were made. Mr. Garton stated no changes have been made since she was provided a copy.

Mr. Glenn Kerston, Roelofs Road, stated he is concerned about the speeding on Roelofs Road. He stated they have had the mobile speed sign on the road and while this does help cut down the speed, he is concerned that once the sign is gone, speeding will continue. He stated they also have problems with school buses speeding through the neighborhoods and they do plan to contact the bus company about this. Mr. Kerston stated he understands some years ago there was one officer in Lower Makefield who would be on Township roads checking on speeders, and he understands that this position was eliminated. Chief Coluzzi stated the position has not been eliminated, and they do have an officer in an unmarked car that goes to various neighborhoods where there have been problems. They will put an officer in this area again shortly. Mr. Fegley stated this is a problem in many areas of the Township.

APPROVAL OF MINUTES

Mr. Hackman moved and Mr. Fazzalore seconded to approve the Minutes of March 4, 2002 as written. Motion carried with Mrs. Godshalk abstained.

DISCUSSION OF JEFFERSON AT MIDDLETOWN AND AUTHORIZATION REGARDING REVIEW OF TRAFFIC STUDY

Mr. Garton stated the developer will need to acquire a road opening permit from Lower Makefield Township but Land Development approval will not be required. Mr. William Dion was present and stated they have submitted Plans to PCS and have had discussions with Mr. Coyne about the project located in Middletown Township. They are aware that the road access improvements will be partially located in Lower Makefield. They were requested to provide a Traffic Impact Study and this was made available to PCS. There was discussion on the location of the Township Line. Mr. Dion provided a copy of the Plan which shows the proposed improvements. He stated a large portion of the tract is wetlands.

Mr. Fazzalore stated under the Matrix proposal Big Oak Road will be four lanes with an island. He asked if this developer will do this on their portion of the Road as well. Mr. Dion stated they have met with the Matrix representatives and the road improvements they are proposing match the improvements planned by Matrix in this area. Mr. Dion stated there will be a dedicated left turn lane but they will not have an island. He does not feel Matrix has an island in this section either. Mr. Garton stated he is not sure that section of Big Oak Road at that location had the same improvements as elsewhere on Big Oak Road.

Mr. Fedorchak asked if they would rather have direct access to I-95 in this area because of increased traffic. He noted this entire area would be in Middletown Township and be under the purview of Middletown and the State. Mr. Dion stated this would be beyond the **scope of this project**. He stated they have already made significant concessions and cut the **number of units** in half. They have been in litigation with Middletown Township for two years to reach this point. They will build 377 luxury apartments.

Mr. Williams stated he understands that the light will not be installed immediately but that funds will be escrowed. Mr. Dion agreed and stated the permit will not be met until 250 units are occupied. Mr. Williams stated he would want to make sure that this is done.

Mr. Fedorchak stated he would like to make sure that Mr. Williams is satisfied with the length of the left turn lane into the site. Mr. Williams stated they can stack approximately five cars and the Level of Service for the left turn is a Level of Service A. Mr. Hackman asked if the light will have an arrow, and Mr. Dion stated it will. Mr. Dion stated there is also a striped area where they can stack more than five cars. They anticipate 74 left turns at the peak hour. Mr. Hackman asked that the Township Traffic Engineer review the Traffic Study to see if he agrees. Mr. Dion stated they are confident that **if Parsons-Brinckerhoff** reviews this, they will not have any problems.

Mrs. Godshalk noted a parcel of land owned by Bellemead which she feels could take access off of this developer's road. Mr. Dion stated that area is wetlands.

Mr. Hackman stated he feels road widening should be extended up to the I-95 overpass. He asked the Township engineer and Parsons-Brinckerhoff advise what the road should look like from Township Line Road to the I-95 overpass. He stated possibly this developer could do a share of it.

Mr. Hackman moved and Mr. Fazzalore seconded to authorize Parsons-Brinckerhoff to review the Traffic Study and along with the Township engineer, review the road from the I-95 overpass to Township Line Road.

Mr. Dion noted the Matrix Phase I improvements already approved by Lower Makefield include installation of a traffic light. Mr. Garton stated this needs Middletown's approval. Mr. Hackman asked that this information be reviewed as well. Mr. Dion stated they were planning to submit the Highway Occupancy Permit, and he assumes that this will be approved simultaneously with the review now being discussed by the Board. Mr. Garton stated no permit will be issued until the matters are reviewed as requested by the Board, but he does not anticipate that this will take months to resolve.

Mrs. Godshalk asked about the green area shown on the Plan, and Mr. Dion stated this will be placed under a Conservation Easement.

Motion carried unanimously.

REVIEW OF BASELINE SWIMMING POOL FEASIBILITY STUDY

Mr. Ted Wallover of Wallover Architects, Inc. was present with Ms. Donna Liney, Recreation Director.

Mr. Hackman noted the Code referred to by Mr. Wallover in his report, and Mr. Wallover stated this is the Pennsylvania Bathing Place Manual which is the guideline used as the recognized standard within the State.

Mr. Wallover stated they conducted a four month study of the Complex. They found that the facility has been extremely well maintained over its twenty-two year life. One of the major concerns is that the average lifespan of a municipal outdoor facility is twenty-five years without major renovations. They have also looked into Code violations although he noted there have been times when leniency is given for structures built prior to the adoption of the Code. Mr. Wallover stated they have established a series of projects and timeframes when certain projects may need to take place. He stated they are converting the existing gas chlorine systems to liquid which is much safer. Mr. Hackman asked if the Board approved the chlorine conversion in the Budget, and Mr. Fedorchak stated they did. Mr. Wallover stated they are putting the design and bid packages together for this project. They are also doing final renovations on the heaters which were recently installed. He stated they will do the flow tests once the pumps are back in place. They feel they have determined the cause of the problems with the heaters and will be able to correct this. They are also looking into re-painting the fifty meter and intermediate pools before the start of the season. He stated this is normal maintenance. They will have to ensure that the pools are prepped properly. He stated they have addressed in the study ways to rectify problems there have been in the past with the paint adhering.

Mr. Hackman asked if the Park & Recreation Board has reviewed this document, and Ms. Liney stated it will be on the Agenda for their meeting tomorrow evening. Mr. Hackman stated he feels they would like to have them review it and report back to the Board on how to proceed. Mr. Fazzalore stated they must make sure that the Pool continues to be self-sufficient. He stated he would like to see the Park & Recreation Board prioritize what they feel should be done over a certain number of years and how they will pay for it.

Mr. Wallover stated he did offer a prioritized list on Page #2 of the report.

Mr. Wallover stated there is some water loss in the Pool, but it appears to be all in the gutter system. He noted this is a common problem with this type of facility.

Mr. Fazzalore stated a decision will also have to be made if there is sufficient property to do all the improvements suggested in the report. Mr. Fedorchak stated they are not proposing expanding the area of the pool, and all improvements are proposed within the fence.

Mr. Wallover stated this is one of the finest examples of a Municipal Pool that they have had an opportunity to work on. He noted the expansive amount of water surface which is costly to maintain. He stated the allowable occupancy has been calculated at 1300 patrons.

Mr. Hackman stated the Pool has a balance of approximately \$130,000 in cash, and the loans will be paid in two years.

Mr. Fedorchak stated Lower Makefield families with a lot of young children are using the Pool, and they felt they should improve the tot area and those areas of the Pool which families with young children will enjoy most.

Mr. Fegley stated while they do want to offer more amenities, they do not want to make it more and more expensive to maintain which would cause an increase in the membership fees. He stated he does not feel they are having a problem with memberships at this time and he is concerned that they may make improvements which may result in an increase in the fees which will result in memberships falling off.

Mr. Fedorchak stated he feels these improvements need to be phased in and the Park & Recreation Board can look into this. He stated there will be a reduction in the debt service in the next two years. He announced that the Board of Supervisors will be turning over the duties of the Pool Board to the Park & Recreation Board and asked Ms. Liney to make this information made known to the Park & Recreation Board at their next meeting.

Ms. Liney stated they have compared membership fees for other pools in the area, and found that Lower Makefield is a very affordable facility. She stated the goal would be to keep membership at the current levels.

Mrs. Godshalk stated she would be concerned taking away space from the tot pool area where parents can sit. She stated she would like to see an overlay of what is in this area at the current time. Mr. Wallover stated what they are proposing will actually improve this area. They are basically replacing the existing tot pool with a new type of facility. Mrs. Godshalk stated she feels they should look at the Pool on the Road Tour.

Ms. Sally Conlon asked if they are considering the drought conditions since it appears they will be using even more water. Mr. Fedorchak stated at the current time, they are permitted to fill pools. Mr. Fegley stated the proposed improvements for the tot area will not be done this season. He stated the water features area does include provisions for recycling of water.

DISCUSSION OF I-95/332 INTERCHANGE CONSTRUCTION TIMETABLE

Mr. Fedorchak stated they received a letter from Andy Warren who indicated they are looking at the final plans being completed by Spring of 2003. They anticipate construction will start in the fall of 2003. Mr. Fedorchak stated PennDOT does have to come to the Lower Makefield Board of Supervisors to discuss right-of-way acquisition and will be doing so within the next few months.

Ms. Virginia Torbert stated PennDOT indicated they were going to show a design, and Mr. Fazzalore stated this will be done when the design is complete.

Mr. Fedorchak stated he feels they will continue to communicate with the Township as the project is staged.

Ms. Sue Herman asked how long it will take to get through the Inter-Governmental Agreement which is part of the construction. Mr. Fegley stated he hopes that it will be sent back shortly after Newtown reviews it at one of the Supervisor meetings. He stated if Lower Makefield does not hear something within a month, they will follow up.

APPROVE HIRING PIEDMONT ENVIRONMENTAL GROUP TO DETERMINE STRUCTURAL SUPPORT FOR GOLF COURSE CLUB HOUSE/CART STORAGE FACILITY

Mr. Hackman stated these are soil engineers. Mr. Williams stated he feels the engineer should indicate how many copies they will provide and be asked to provide recommendations if there are problems.

Mr. Hackman moved and Mr. Fazzalore seconded to hire Piedmont Environmental Group to determine structural support of the golf course club house/cart storage facility in the amount of \$4250 provided they indicate how many copies they will provide and that they make recommendations if there are problems. Motion carried with Mr. Fegley abstained.

APPROVAL OF MARCH 4, 2002 AND MARCH 18, 2002 WARRANT LISTS AND FEBRUARY, 2002 PAYROLL

Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to approve the March 4, 2002 and March 18, 2002 Warrant Lists and February, 2002 Payroll as attached to the Minutes.

APPROVAL OF RESOLUTION NO. 2004 INCREASING TO FIVE THE NUMBER OF RESIDENT MEMBERS OF THE EMERGENCY MANAGEMENT COMMITTEE

Mr. Garton stated he has prepared the appropriate Resolution as directed by the Board of Supervisors.

Mr. Hackman moved and Mr. Fazzalore seconded to approve Resolution No. 2004.

Mrs. Godshalk asked how many resident members are currently on the Committee, and Chief Coluzzi stated there are four. Mr. Hackman stated the Emergency Management Plans need to be reviewed to insure that they are up-to-date given the current times. He stated they recently interviewed someone who has excellent credentials, and they needed to expand the Committee in order to appoint this individual.

Motion to approve carried unanimously.

ACCEPT TRANSFER OF TMP 20-025-250 (YARDLEY HUNT AREA) AND \$2,000 MAINTENANCE FUND FROM THE HERITAGE CONSERVANCY

Mr. Garton stated the Board agreed to accept title to this property and in order for the Township to proceed the Board needs to accept the land at a public meeting.

Mr. Fazzalore moved and Mr. Hackman seconded to accept the transfer of TMP 20-025-250 (Yardley Hunt area) along with \$2,000 maintenance fund from the Heritage Conservancy.

Mr. Hackman stated they feel the Township will be able to better **maintain this property**. Mr. Fazzalore stated some damage has been done to the area and **the Township will be** better able to police it.

Motion to approve carried unanimously.

APPROVE VALLEY DAY SCHOOL PRELIMINARY PLAN

Mr. Nick Casey and Mr. Phil Kashner were present. Mr. Garton stated this Plan was the subject of discussion at the meeting held on February 18, 2002. There were some items which the Board had asked that the developer review with the Township engineer and Township Roadmaster. Mr. Williams stated there was some discussion about connection of the roadway to the existing stub of Amberwood but due to the natural features, this is not possible. Mr. Coyne has indicated he would prefer the loop road currently depicted. Mr. Casey noted this area on the Plan. Mrs. Godshalk stated she is concerned with this area because of the safety issues related to the barriers and the roads not being level. Mr. Fegley stated he is opposed to taking out trees for the purpose of installing a cul-de-sac. Mr. Casey stated they could install a natural barrier such as a berm with trees planted. Mr. Fazzalore stated the property is too steep to connect the roads. Mr. Williams stated he is concerned that if someone hits the existing barrier, the steep slopes are immediately thereafter. Mr. Hackman asked that the Township engineer provide a suggestion as to how to finish off the stub road within the right-of-way of the road or to the edge of the new development.

Mr. Williams stated they also discussed the detention basins with Mr. Coyne and he was satisfied with what the developer has proposed. Mrs. Godshalk stated she feels they must require the developer under the Truth-In-Advertising Ordinance to advise the potential purchasers that they will be looking at a basin that will only be cut two to three times per year. Mr. Casey stated their marketing people have looked into this, and they feel these homes will be very marketable. He noted the landscaping required for basins is fairly intensive.

Mr. Williams stated they also reviewed the 30' road width, and Mr. Coyne was satisfied with this.

Mr. Garton stated they also agreed to the requests regarding top soil and placement of trees.

Mrs. Godshalk moved, Mr. Hackman seconded and it was unanimously carried to approve the Preliminary Plans for Valley Day School, Plans dated 5/12/99, last revised 1/16/02 subject to the following:

- 1) Compliance with PCS letter dated 2/4/02;
- 2) Waivers to be granted as follows:
 - a) Applicant pay Fee-In-Lieu of Recreation
 - b) Applicant not be required to do improvements to Mill Road with the Township to receive Fee-In-Lieu
 - c) Township grant a waiver to reduce cartway width to 30 feet with payment to the Township of Fee-In-Lieu
 - d) For reasons associated with storm detention basins, that a waiver be granted for headwalls
 - e) Waiver for reduction in stormwater flow from 50% to 29.8% to save additional trees
 - f) Sidewalks to be on one side of the project with Fee-In-Lieu to be paid
- 3) Compliance with CKS letter dated 10/31/01;
- 4) Receipt of all permits and approvals by all agencies having jurisdiction;
- 5) Compliance with Lower Makefield Township Traffic Impact Fee Ordinance;
- 6) Compliance with Fire Marshall letter dated 6/18/01;
- 7) Between now and Final Plan agree to pay a Fee-In-Lieu or some alternative but to be no more than the cost of the cul-de-sac at Amberwood.

Mr. Casey agreed to the Conditions of Approval, and the Motion carried unanimously.

ACCEPT DEDICATION OF OAK TREE FARMS

Mr. Garton stated the staff has recommended acceptance of Dedication of Oak Tree Farms.

Mr. Fazzalore moved, Mr. Hackman seconded and it was unanimously carried to accept Dedication of Oak Tree Farms.

ZONING HEARING BOARD MATTERS

The Arthur and Pamela VanNostrand Variance request to construct a swimming pool resulting in greater than the permitted impervious surface was noted and the Solicitor was asked to appear in opposition.

The Darrel and Lynn Schuman Variance request to construct an access stair from the basement level resulting in encroachment into the side yard setback was noted and it was agreed to leave this matter to the Zoning Hearing Board.

The John and Kimberly Fuller Variance request to construct an addition resulting in greater than the permitted impervious surface was noted, and the Solicitor was asked to appear in opposition.

SUPERVISORS' REPORTS

Mr. Hackman updated the Board on progress with the Golf Course. He stated they bored out the test wells from 6" to 10" and the one well gave out over 300 gallons per minute. They will complete the second well shortly. Mr. Hackman noted the color rendition of the Golf Course Plan, and Mr. Fedorchak was asked to provide the Board with copies.

ACCEPT GRANT FROM INDUSTRIAL SITES REUSE PROGRAM

Mr. Fedorchak stated in August, 2001, the Board approved the staff making application for a Grant which would enable the Township to obtain State funds to assist them in cleaning up the four acre tract at Macclesfield Park which had been used about fifty years ago as a dump site primarily for Westinghouse. The area is enclosed with a fence. He asked that the Board accept the Grant in the amount of \$92,250 which is for Phases I and II of the project and involves the environmental assessment phase. The total project cost would be about \$125,000. The Township has funds in the Budget for the project.

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to accept the Grant.


APPOINTMENTS

Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to appoint Ed Prajner to the Environmental Advisory Council.

Mr. Hackman moved and Mr. Fazzalore seconded to appoint Steve Robinson to the Cable TV Advisory Council. Motion carried with Mrs. Godshalk abstained.

There being no further business, Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to adjourn the meeting at 9:35 p.m.

Respectfully Submitted,


Wes Hackman, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS

Scott I. Fegley, Chairman
Grace M. Godshalk, Vice-Chairman
Wesley W. Hackman, Secretary/Treasurer
Frank J. Fazzalore, Supervisor
Pete Stainthorpe, Supervisor

**MARCH, 2002 WARRANT LISTS AND
FEBRUARY 2002 PAYROLL COSTS FOR APPROVAL
@ MARCH 18, 2002 BOARD OF SUPERVISORS MEETING**

03/04/02 Warrant List	\$ 116,648.25	
04/02 Prepaid Expenditures	8,875.66	
03/18/02 Warrant List	283,991.48	
Total Warrants & Prepaids		409,515.39
<u>PAYROLL COSTS:</u>		
February, 2002 Payroll	296,202.36	
02/02 Payroll Taxes, etc.	22,659.48	
Total Payroll Costs		<u>318,861.84</u>
TOTAL TO BE APPROVED		\$ <u><u>728,377.23</u></u>

