

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES - FEBRUARY 12, 2001

A special meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on February 12, 2001. Mr. Fazzalore called the meeting to order at 7:30 p.m.

Those Present:

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

Others: Terry Fedorchak, Township Manager

Absent: Wesley Hackman, Supervisor

PUBLIC COMMENT

Mr. William Sterling was present. Mr. Fegley stated he would be willing to sit down with Mr. Sterling, his attorney, or Mr. Sterling's Estate Planning representatives to discuss a conservation easement. He noted there are a number of options that could be considered including purchase of a conservation easement by the Township, the Heritage Conservancy or some other preservation group to preserve the Sterling Farm so that it would never be developed.

Mr. Sterling stated he is aware of these options but would not want someone to be able to tell him that he has to sell his development rights to keep out a road.

Mr. Fegley stated as a Supervisor he feels he needs to do what is best for the Township. He stated while an individual property owner may indicate that he has no intention at the current time to sell the property, he may in fact sell it in the future for development. He stated as a Supervisor he feels he must plan for that possibility and must consider the impact on the surrounding area if the property is developed. He stated the road being consider at this time is only a line on a map and there is no intention to build that road as long as Mr. Sterling or his family own the farm. Mr. Fegley stated unless the Supervisors were assured that it would not be developed, they had to at least put it on the map so that future planners would see it and preserve it as a possible ingress and egress for the development. Mr. Fegley stated if Mr. Sterling were willing to insure that there was no possibility of development, he would be willing to state that there would not be a road. He stated if it is still possible that the site might be developed, the Supervisors need to plan for it.

Mrs. Godshalk stated even if the Township purchases the Conservation Easement, they can not insure that there will not be a road. Mr. Fegley disagreed. He stated when Conservation Easements are purchased, this is final. Mrs. Godshalk stated there is already a paper road on the edge of Mr. Sterling's property according to the Newtown Township Traffic Map. Mr. Fazzalore stated he has been notified by Newtown Township that they did not put this on an official Township Map. Mrs. Godshalk stated she will attempt to find it.

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Mr. Sterling stated he feels the Township can do what they want. He stated there is no way a development could go in without ingress and egress and the Township gets what they want. Mr. Fegley stated he does not feel the Supervisors have that much power in controlling development. Mr. Sterling disagreed. Mr. Fazzalore noted the Township has been in Court many times and have lost. Mr. Sterling stated he is opposed to the road being put on a map.

Mr. Fazzalore stated the Board wants the same thing as Mr. Sterling does, and they are looking for his help. Mr. Fazzalore stated the Board wants to prevent growth in the community. Mr. Fegley asked that he speak to whoever advises him on Estate Planning, and he feels they will tell him that Conservation Easement is something that he should consider. Mr. Sterling stated he has looked into this. Mr. Fegley stated they would also like to prevent the road from going in but they have to plan for it unless Mr. Sterling can assure them that he will not develop his farm. Mr. Sterling stated he does not feel they have to show this road.

Mr. Fazzalore asked if Mr. Sterling would be willing to discuss with the Township attorney signing an Agreement giving the Township the right of first refusal. Mr. Sterling stated he was not willing to discuss this at this time. He stated he only wanted to discuss the road.

#### APPROVAL OF RESOLUTION REGARDING TAX COLLECTOR

Mrs. Godshalk moved to revise the Resolution fixing the compensation of the Tax Collector in Lower Makefield Township so that the Resolution will remain basically the same except that in Section 1 it will be revised as follows: Compensation of the Tax Collector of the Township of Lower Makefield commencing as of January 1, 2002 and continuing thereafter until modified by further Resolution by the Board of Supervisors of Lower Makefield Township shall be \$1.15 for each tax bill, that is the same that we are now providing to the Tax Collector for Township taxes, plus the use of a portion of the Municipal Building or other suitable quarters, that is the change - or other suitable quarters - quarters may not be in this building, and in this way we are revising the Resolution to reflect that, plus the payment of electric and heat will continue to be included, except the telephone service which the Tax Collector presently pays. Everything else remains the same. Mr. Fegley seconded.

One gentleman asked if they have any idea where the other location may be. Mr. Fazzalore stated they do not have any idea at this time. Mrs. Godshalk stated it would be in Lower Makefield Township but they have to revise the Resolution so that they are no locking themselves into this particular building where it now is. Mr. Fazzalore stated he does not feel anything will happen for a few years but they may need this space.

Motion carried unanimously.

There being no further business Mrs. Godshalk moved, Mr. Allan seconded and it was unanimously carried to adjourn the meeting at 7:45 p.m.

Respectfully Submitted,

  
Grace Godshalk, Secretary