

TOWNSHIP OF LOWER MAKEFIELD  
BOARD OF SUPERVISORS  
MINUTES - MAY 7, 2001

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on May 7, 2001. Chairman Fazzalore called the meeting to order at 7:45 p.m. apologizing for the delay and noting that the Board had been meeting in Executive Session to discuss personnel matters.

Those present:

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

Others: William Taylor, Finance Director  
Jeffrey Garton, Township Solicitor  
Duke Doherty, Township Engineer  
Kenneth Coluzzi, Chief of Police

Absent: Terry Fedorchak, Township Manager

CONFIRMATION OF EAGLE SCOUT PROCLAMATIONS

Mr. Fazzalore read into the record and Proclamations were presented to the following Eagle Scouts:

Colin Hopkins  
Michael McMaster  
Matthew Tritton

Sean Carrington  
Nick Willard

Ryan Shanberg  
Robert Rainer

PRESENTATION OF EARTH DAY AWARDS

Mr. Fegley announced the winners of the Art Contest and Fishing Derby which were held in conjunction with the Earth Day Events. Mr. Fegley thanked the members of the Environmental Advisory Council, the judges for the Art Contest, Mr. Mort Hartman, printer of the T-shirts, Boy Scout Troop 30, Mr. Jim Tragone and Yardley-Makefield Soccer, Ada Derr who helped at the Event, and Ms. Donna Liney, the Recreation Director. Awards were presented to the Art Contest and Fishing Derby winners who were present this evening.

Mrs. Godshalk stated in connection with Earth Day, she would like to acknowledge the Presbyterian Church High School Seminar who under the direction of Pennsbury High School teacher, Ray Hendrickson, did branch clearing at Elm Lowne prior to their first lawn cutting.

PUBLIC COMMENT

Ms. Linda Abate, 1211 Birch Avenue, stated she lives next to the tract of land owned by Pat Deon. She stated the Zoning Hearing Board recently denied the request for ten variances applied for by the builder, Mr. Hess. Ms. Abate stated Mr. Hess is still pursuing this, and she recently received a certified letter from Mr. Hess in which he made threats and is requiring them to remove the pipes in the drainage system in thirty days or he will cap them. Mr. Taylor was asked by the Board to advise Mr. Fedorchak to meet with the Township engineer to insure that there are not violations. Mr. Garton stated the Township has entered their appearance in defense of the Zoning Hearing Board decision.

Ms. Holly Bussey, President of the Pinebrook Civic Association, stated excavation has begun at the Wilshire Glen development, and the adjoining development is being impacted by dust. She suggested that the developer be required to wet down the property at the conclusion of the work day and to wash down the neighboring streets each day. Mr. Garton stated there are provisions in the Development Agreement which address this. Mr. Doherty was asked to look into this matter. Mr. Garton stated the Conservation District may also have to be contacted.

Ms. Maureen Friedman, 1230 Quarry Hill Court, asked if there is a Township stipulation that topsoil must stay on the site. She stated her development is clay because the topsoil was taken off by the developer and sold. Mr. Garton stated the developer cannot remove the topsoil from the site without the approval from the Township, and this is rarely given. He stated this is monitored by the Township engineer.

Ms. Mary Ann Cain, 1552 Brock Creek, asked if an environmental impact study will be done for Matrix before it is developed. Mr. Fegley stated they have asked Skelly & Loy to review any plans submitted to the Township.

Mr. Pete Stainthorpe, 220 Wildflower Circle, stated he received a letter today advising him that his campaign signs, which were on Township land, were taken down. He stated in the past he had worked on a number of campaigns in the Township and signs were posted. Mr. Fazzalore stated an Ordinance was passed since the last Election. Mr. Stainthorpe suggested that in the future, they issue a permit and provide the candidates with maps of where they can post signs. He is concerned that there may be selective enforcement. He stated had he received a phone call, he would have taken his signs down. He stated he feels the process should be fair.

Ms. Carol Cucchi, 1301 Apple Blossom Drive, asked if a date has been set for a final vote on Matrix. Mr. Fazzalore stated the development plans were just received Friday and it will take approximately six to eight weeks for the engineer and Township reviewing agencies to review the plans. Mr. Fazzalore stated he does not anticipate that this matter will be coming before the Board of Supervisors until July or August.

Mr. John Allen, 57 Hegerton Road, Middletown, provided the Board of Supervisors with hand-outs to accompany his remarks. Mr. Allen stated he worked for New Jersey DOT as a transportation planner and has reviewed many traffic impact studies in twenty-one years. He stated he has reviewed the Orth-Rodgers study that was done for Matrix. He stated while the size of the development is less in terms of square footage than the previous

insufficient counts were done in the P.M. and he feels they may have missed some of the peak hour since they did not start until 5:00 p.m. He stated the Saturday count was done from 11:00 a.m. to 3:00 p.m. and in New Jersey, they do them from 10:00 a.m. to 6:00 p.m. He stated they also did the count in February which misses the Sesame Place traffic and Christmas shopping traffic. With regard to the Level of Service Analysis, Mr. Allen stated they did not provide sufficient information for him to determine if they did a sufficient analysis, and he would like to have copies of all of this information. Mr. Allen stated the trip generation rates used were for retail, but he feels the new manual has a separate category for big box retail; and these figures should therefore be re-calculated. Mr. Hackman stated he feels Mr. Allen's information should be provided to the Township's traffic consultant and the Matrix people. Mr. Allen noted several other areas where he feels the figures shown by Orth-Rodgers were insufficient. Mr. Allen stated when they discussed improvements by others, which is essentially PennDOT, they did not include the ramp from Oxford Valley Road to Route 1 southbound. He stated if certain improvements are not done, it will create problems taking two lanes of traffic down to a single lane ramp. Mr. Fazzalore agreed to show Mr. Allen's information to Matrix and the Township's traffic consultant.

Mr. Hal Neiman, 26 Crown Terrace, stated he is a member of RAM and asked if they can put up signs. He stated Matrix is permitted to put up signs. Mr. Fazzalore stated Matrix has put up signs on their own property. Mr. Garton stated Mr. Neiman can put up a sign on his own property.

Ms. Ada Derr advised the Board that the new bocce court is marvelous and they have had their first game. She thanked for the Board for the installation of the new court. Mrs. Godshalk stated they are considering putting up some kind of sun screen and plants in this area in the future.

Ms. Claudia Fontaine asked about the status of the light at the corner of Twining and Lindenhurst Roads. Mr. Doherty stated the traffic counts were taken last week, and they are in the process of design. Construction could start in September.

Ms. Sue Herman asked for an update on the last traffic meeting with Mr. Steil. Mr. Fegley stated it was a very productive meeting, and they have an understanding with Newtown Township as to a number of issues. He stated there is no longer an issue about a line through the Sterling Farm. He stated Mr. Steil is drafting a mutual memo of understanding which will be taken to each Board for ratification. This is expected within the next few weeks. Ms. Herman stated the residents would like there to be a public meeting. Mr. Fegley stated the Board of Supervisors will consider the memo of understanding at a public meeting and it will be an Agenda item and public discussion can be heard at that time. Ms. Herman stated the residents would like the intersection that was discussed to be put on a Twelve Year Plan. Ms. Herman also asked that an Environmental Impact Study be done at the 332 Ramp. Mr. Fazzalore stated PennDOT does do this. Ms. Herman stated the residents are very concerned about the construction schedule of the ramp because it will impact their quality of life. Mr. Fazzalore stated this is a PennDOT project. Mr. Fegley stated they could request a copy of the Study which has been done, but the Board of Supervisors cannot tell them any specifics with regard to construction. He stated they can instruct Mr. Fedorchak to obtain any studies that have been done and provide these to the residents. Ms. Herman stated she feels there should be a separate public meeting on this. Mr. Fegley stated there will be a public meeting. He added if she is asking for a joint meeting with Newtown, he cannot guarantee that this will take place.

Mr. Fazzalore stated if Newtown is willing to come, they would be happy to hold a separate public meeting. Mr. Allan stated he does not want to be in a position to have people from Newtown telling them what they should be doing in Lower Makefield. Ms. Herman stated she would therefore request a public meeting for Lower Makefield Township residents with the officials and they can then consider whether there should be a joint meeting. She stated she feels this should be prior to the ratification of the letter of understanding. Mr. Fegley stated as soon as they receive the letter of understanding, they can make it available to the Township residents. Ms. Herman stated the residents would like to be part of the solution prior to the night the letter of understanding is to be ratified. Mr. Fazzalore stated they will take the matter of a special meeting under consideration.

Ms. Karen Freedman, 2042 Silverwood, stated she is a member of BRRAM. She stated the FAA is conducting a Public Hearing for the western Bucks County area since they have to re-assign air space. This will be held in the State House Annex in Trenton on May 24 from 7:00 p.m. to 9:00 p.m. Mr. Taylor was asked to put this information on the Cable Channel. Ms. Freedman thanked the Police Department for the recent truck stop program. She also stated with regard to the loop project, she feels the left turn lane should be adjusted to make it a longer left hand turn to go north on I-95.

#### APPROVAL OF MINUTES

Mr. Allan moved, Mr. Fegley seconded and it was unanimously carried to approve the Minutes of April 16, 2001 as written.

Mr. Allan moved, Mr. Fegley seconded and it was unanimously carried to approve the Minutes of the April 30, 2001 Special Meeting as amended.

#### DISCUSSION OF GRANTING EASEMENTS TO VERIZON TO PLACE CONCRETE PADS AND FACILITIES WITH LANDSCAPING ON TOWNSHIP-OWNED PROPERTIES - TABLING OF SALY ROAD NEAR RICHARD ROAD/APPROVE TWINING ROAD NEAR LINDENHURST ROAD

Ms. Susan Steel and Mr. Pete Wanner were present. Ms. Steel stated at a prior meeting the Board of Supervisors asked that the landscaping plan be brought in. She stated they are also requesting approval for a generator. Mr. Wanner presented a copy of the original easement which was not fully signed by the Township. Ms. Steel also provided copies of the landscaping information requested. Mr. Wanner stated he feels the best way to disguise these facilities is to create depth so that the eyes move through. Plants and trees have been selected which are common to the neighborhood. It was noted the box is approximately six feet high. Mrs. Godshalk stated they cannot screen it completely since they need to access the equipment. Mr. Hackman stated he feels they should install six foot trees rather than four foot trees, and Ms. Steel agreed to do so.

Ms. Fontaine asked about the possibility of installing a cedar fence around the box. Ms. Steel stated this was previously discussed and the Board of Supervisors felt this would draw more attention to it.

Ms. Maureen Friedman stated she feels more fully-grown trees would be better.

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to approve the plan for Twining Road near Lindenhurst road subject to changing the trees from four feet high to six feet high.

With regard to the Saly Road near Richard Road location, Mr. Fazzalore stated the Board was not aware of this request. Ms. Steel stated she had made Mr. Fedorchak aware of it some time ago. Mrs. Godshalk stated this is at the end of a street that goes into Park land and she asked if this will block the access to the Park. Ms. Steel stated presently there is a post and rail fence at the end of the road. Mr. Fazzalore stated he feels this matter should be tabled until the Board has an opportunity to look at the site.

Mr. Fegley moved and Mr. Allan seconded to table approval of the plan for Saly Road near Richard Road.

Ms. Steel stated the intention is to extend the post and rail face back thirty feet and repair it since it has deteriorated. They will clear up the area where dumping has been done. She stated there is a basketball hoop in this area and they did not want to interfere with the neighborhood. They do need to provide a parking area for vehicles. If the Board wanted them to extend the road, they would be able to do so. Mrs. Godshalk suggested that they put stakes in this area so the Board can see what location they are considering. She stated at this point she is opposed to this since it is an access to Lower Makefield Township Park land. Mr. Hackman stated when they discuss this matter in the future, they should notify the homeowners in the area. Ms. Steel stated the information on this matter was sent to the Township in April, and she assumed that the Board was aware of it. Mrs. Godshalk asked how they find areas where they want to place their equipment, and Ms. Steel stated their people go out and search in areas where there is a need for such a facility. Mr. Hackman noted they have indicated that need to take a tree down, and Ms. Steel stated the tree they are considering taking out is very old, and they would replace it with a fir tree.

Motion carried unanimously to table.

#### AWARD BIDS FOR USED PUBLIC WORKS EQUIPMENT

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to award the bid for the 1985 GMC one ton dump truck to WDB Lawn & Garden in the amount of \$4,495.

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to award the bid for the 1974 Mack truck to Scott Seifert for \$16,120.

#### DISCUSSION AND MOTION TO OBJECT TO PA AMERICAN WATER COMPANY'S FILING FOR RATE HIKE

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to object to the PA American Water Company's filing for rate hike and to participate with the Public Advocate.

APPROVE SETTLEMENT OF CONDEMNATION PROCEEDING FOR PROPERTY ON OXFORD VALLEY ROAD FROM DON HEASLEY

Mr. Fegley moved, Mr. Hackman seconded and it was unanimously carried to approve settlement of condemnation proceeding for property on Oxford Valley Road from Don Heasley in the amount of \$5,000.

APPROVE SHED AT ROELOFS PARK

Mr. Allan stated on the Road Tour he had shown to the Board the location where PAA would like to place the shed. He noted PAA will pay for it. Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to approve the shed at Roelofs Park.

AWARD BID FOR REPLACEMENT OF SANDY RUN ROAD BRIDGE

Mr. Hackman moved to award the bid for replacement of Sandy Run Road Bridge to Nick Falcone & Sons, Inc. in the amount of \$442,156.70.

Mr. Fazzalore noted this item was budgeted for \$200,000. He stated he had asked the engineer to look at this again since his predecessor had previously worked on this project. Mr. Doherty provided a detailed study on this, and the new bridge will be twice as big. Mr. Doherty stated the size meets DEP requirements.

Mr. Allan seconded the Motion.

Mr. Allan stated the bridge is very unsafe. It was built thirty-five years ago and has outlived its usefulness. Mr. Fazzalore stated the Finance Director has indicated that the funds will come from the Street Fund. Mr. Fegley asked if DEP has indicated this bridge must be built in this way. Mr. Doherty stated the road could be washed out if they do not replace the bridge. Mr. Fegley asked if a different design could be used which would not be quite as large and be more aesthetic. Mr. Doherty stated he did not feel it could. He stated the road will not dip down as much with the new bridge. Mrs. Godshalk asked about the adjacent homes. Mr. Doherty stated the water will stay in the channel instead of jumping the channel and going onto their properties. He stated the ground will be gently sloped to meet the existing grade.

Mr. Norm Shore, 937 Sandy Run Road, stated when he purchased his home he was aware of the potential for flooding and purchased it anyway. He stated the temporary channel easement that is provided directs the water from the new bridge, and he is concerned with the possibility of a storm which would flood Brock Creek during the construction. He is also concerned with straightening the road which he feels will increase the volume and speed of traffic in the area. He stated he is also concerned with the loss of mature trees on his property and the growth that currently makes up the edge of Brock Creek on his property. While he recognizes that the bridge must be replaced, he feels it should be replaced with something that will fit in better with the surrounding neighborhood as opposed to what is now proposed. He stated possibly some other design would also better fit in with the budgeted amount.

Mr. Fazzalore asked about repair of the existing bridge, and Mr. Doherty stated this could cost more than what is currently proposed. Mr. Doherty stated one box culvert would not work and would not meet the requirements of DEP. Mr. Fegley stated he feels they should look into a re-design; and if the bridge is unsafe, it should be closed. Mr. Allan stated this is a very-heavily traveled bridge.

Mr. Hackman asked how many bids were received, and Mr. Doherty stated four bids were received. Mr. Hackman stated it appears that the budgeted amount was not accurate. Mr. Fazzalore stated possibly they have over-designed the bridge. Mr. Doherty stated they must design it to a certain standard. Mr. Hackman asked how they could re-design the bridge to cut the cost in half. Mr. Doherty stated while he would be willing to look at it again, he does not feel they have designed more than the minimum required.

Ms. Virginia Torbert stated there are hundreds of bridges like this in Bucks County and asked that they look into an alternative design. She also stated she feels the bridge should be closed if it is unsafe.

Mr. Doherty stated they feel what they have proposed would be the cheapest design. He stated if they revise the design it would take until next April to get the bridge constructed.

Ms. Debbie Parsons asked how long ago they determined it would cost \$200,000 for the bridge, and Mr. Doherty stated this cost was determined in 1995 and was never changed. Mr. Hackman stated they felt that this bridge would cost as much as the Oxford Road Bridge, and this is not the case as this is a larger bridge. Mrs. Godshalk stated she does not want to put in a substandard bridge because it must withstand the force of the items coming downstream in the event of a flood.

Mr. Shore stated he does agree that the bridge needs to be replaced, but he would ask that they look into other alternatives as opposed to doubling the size of the bridge from what it is currently.

Motion to award bid carried with Mr. Fegley opposed.

#### APPROVAL OF WAIVING LAND DEVELOPMENT FOR ADDITION TO GREY NUNS OF THE SACRED HEART

Mr. Edward Murphy, attorney, and Sister Fahey were present. Mr. Garton stated they are proposing additional construction at the Grey Nuns property. The Planning Commission has recommended waiver of Land Development.

Mr. Murphy reviewed the information provided to the Board including the new addition of 3500 square feet of impervious surface. He noted the site is eighty-nine acres. The impervious surface permitted is 17% and with the additional construction, they will have 6.59%. He stated they would like to do the construction this summer so that it can be used in the fall. He added that Mr. Doherty has looked at the site and would support the waiver. They are not adding any new students or staff as a result of this addition. There is also no need for additional parking, and they are not creating any stormwater problems.

Mrs. Godshalk moved, Mr. Hackman seconded and it was unanimously carried to waive Land Development.

APPROVAL OF DEVELOPMENT AGREEMENT FOR LOTS 2, 3 AND 4 OF THE  
KAPETANOVIC TRACT

Mr. Garton stated approval was given for these Lots some time ago. The developer has sold the lots and there must be a Development Agreement for each lot. Mr. Fazzalore stated originally Mr. Kapetanovic stated family members would be living in these lots and subsequently they went up for sale. He is now concerned as the road that was constructed was a very narrow private road, and he feels that since these lots are now being sold to other than family members this is going to cause problems. Ms. Gould was asked about Mr. Kapetanovic's appearance before the Planning Commission, and she confirmed that he advised the Planning Commission that these lots would be for family members only. Mr. Garton stated they cannot require Mr. Kapetanovic to sell these properties only to family members. Mr. Garton stated he would not want the Board of Supervisors to spend taxpayers dollars to litigate this if they require him to sell only to family members.

Mrs. Godshalk asked if the purchasers will be advised that this is a private road, and Mr. Garton stated it is in the Agreement.

Mrs. Godshalk moved, Mr. Fegley seconded and it was unanimously carried to approve Development Agreements for Lots 2, 3 and 4 of the Kapetanovic Tract.

DISCUSSION OF CLEARVIEW ESTATES DEDICATION

There was a consensus of the Board of Supervisors that the developer can proceed with construction of their portion of the bikepath and make the appropriate contribution to the Township. The Township will do their portion at a later time.

APPROVAL OF EXTENSIONS FOR AFTON CREST, FIELDSTONE AT LOWER  
MAKEFIELD, FIRST BAPTIST CHURCH OF NEWTOWN, HADDAD  
SUBDIVISION, VALLEY DAY SCHOOL SITE, AND MCFADDEN MINOR  
SUBDIVISION

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve an extension of time for Afton Crest Preliminary Plan to 8/8/01.

Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to approve an extension of time for Fieldstone at Lower Makefield Preliminary Plan to 6/30/01.

Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to approve an extension of time for First Baptist Church of Newtown Preliminary Plan to 8/6/01.

Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to approve an extension of time for Haddad Subdivision Preliminary Plan to 8/8/01.

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve an extension of time for Valley Day School Site Preliminary Plan to 8/6/01.

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve an extension of time for McFadden Minor Subdivision to 8/22/01.



### ZONING HEARING BOARD MATTERS

The McVan, 2455 Robinson Place, Variance request to build an addition encroaching into the resource protected area of the lot related to flood plains was noted. Mr. Garton stated this was to be left to the discretion of the Zoning Hearing Board but since that time they have added to their list of Variances with an amended Application. Mr. Garton reviewed the additional Variances being requested. It was agreed that no action would be taken by the Board.

The Moyer (Alert Builders) Variance request to construct an addition resulting in greater than the permitted impervious surface was noted. Mr. Garton stated it does not appear that they have included in their calculations all that is going to be constructed. He noted it appears that the impervious surface is going from 18% to 23%. A majority of the Board asked that the Solicitor appear in opposition.

The Mabin, 2006 Silverwood Drive, Variance request to permit construction of a fence within an easement was noted. Mr. Doherty stated they are asking permission to put a fence in a storm sewer easement which is not permitted. Mr. Doherty stated they want to go right to the property line. Mr. Hackman stated provided the applicant recognizes they may have to remove this if the Township needs to gain access, he does not feel they should appear in opposition. No action was taken.

### APPOINTMENTS TO THE EMERGENCY MANAGEMENT COMMITTEE

Mrs. Godshalk moved, Mr. Hackman seconded and it was unanimously carried to appoint the following to the Emergency Management Committee:

James Frawley  
Marilyn Huret  
Allyson Kliefoth

David Neeld, Yardley/Makefield Fire Chief  
Hank Lawrence, Yardley/Makefield Emergency Unit  
Tim Weiss, Capital View Fire Chief  
Frank Fazzalore, Liaison

### SUPERVISORS' REPORTS

Mr. Allan stated they are moving forward with the design of the handicap ramp at the Community Pool. He stated this will be not be installed until after this season.

### DISCUSSION OF INCLUSION OF LOWER MAKEFIELD IN I-95/PA TURNPIKE NEIGHBORHOOD IMPACT STUDY/SUBMITTAL OF CONCERNS AND PLAN

Mr. Fegley stated it appears that they are being asked to indicate the Township's concerns along with a preliminary plan to address the issues of concern. This has been requested as soon as possible since the meeting will be held on June 8. Mr. Fazzalore stated they were most concerned with the gravel trucks going through the Township. Ms. Herman stated she attended the meeting and had sent Congressman Greenwood a letter about their concerns with stone trucks going through the Township. Mr. Fazzalore stated he felt that the Township had asked that a request be made that the railroad be used if possible.

Ms. Herman stated she followed up on this with Mr. Fedorchak, and she does not feel this request was written.

Mr. Garton stated he feels Mr. Fedorchak needs to articulate in written form what the concerns are and how they can alleviate these concerns, among which may be rail transport of the stone. Ms. Herman stated she also feels they should open up Swamp Road to provide another route.

Mr. Fegley stated they should also contact Mr. Morris to obtain the exact deadline and then have Mr. Fedorchak draft something for the Board's review two weeks from now.

Ms. Herman stated a letter was received from Mr. Morris indicating that Lower Makefield Township was not one of the neighborhood groups to be included since it was too late to have them included. Mr. Fegley stated the letter they have received indicates they will include Lower Makefield Township. Ms. Herman stated they should ask to be included in the Environmental Impact Statement as well. Mr. Garton stated he feels this Statement is being done by PennDOT and not this group. Ms. Herman stated she would like a letter to go to Mr. Greenwood indicating that Lower Makefield Township should be included in the Environmental Impact Statement.

#### DISCUSSION OF MEMORIAL DAY PARADE

Mr. Fazzalore, Mr. Fegley, and Mrs. Godshalk indicated they will participate in the Memorial Day Parade. Mr. Hackman indicated that he would not participate, and Mr. Allan stated he did not know at this time.

Mr. Fazzalore stated the VFW has asked that they not throw candy during the Parade, and the Board agreed to their request.

#### DISCUSSION OF TIRES PLUS PROJECT

Mr. Edward Murphy noted the Tires Plus Project. He stated two weeks ago the Board signed the mylars but they did not approve the Development Agreement. He stated this is now available and he would ask the Board to approve it this evening. Mr. Hackman questioned how the Board could approve something they have not seen. There was no Motion made to approve the Development Agreement this evening.

#### OTHER BUSINESS

Ms. Maureen Friedman asked if someone would need to obtain a permit from the Township in order to have a private party that would involve a well-known entertainer. Mr. Garton stated it would depend on how large the party would be.

Ms. Friedman stated she had a four foot by four foot sign posted on a piece of property. Mr. Garton asked if the sign was on her own property, and Ms. Friedman stated it was not. Ms. Friedman stated she was told by the Township office personnel that she would be fined for putting signs on her property. Mr. Garton stated according to the Freedom of Speech laws, Ms. Friedman can put signs on her own property. He stated a business sign


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would not be considered under the Freedom of Speech laws. Ms. Friedman stated she has filed an ACLU action. She stated Ms. Frick should be advised as to how the Ordinances should be enforced.

There being no further business, Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to adjourn the meeting at 10:25 p.m.

Respectfully Submitted,

  
Grace Godshalk, Secretary

