

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - OCTOBER 15, 2001

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on October 15, 2001. Chairman Fazzalore called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 6:00 p.m. to discuss legal and personnel matters.

Those present:

Board of Supervisors:

Frank Fazzalore, Chairman
Scott Fegley, Vice Chairman
Fred Allan, Supervisor
Wes Hackman, Supervisor

Others:

Terry Fedorchak, Township Manager
Jeffrey Garton, Township Solicitor
Duke Doherty, Township Engineer
Kenneth Coluzzi, Chief of Police

Absent:

Grace Godshalk, Supervisor

PUBLIC COMMENT

Ms. Sally Conlon asked why the Township is considering taking over Edgewood Road. Mr. Fazzalore stated if the Township owns the road, they would be able to reduce the speed limit to 25 miles per hour. He stated the State will also give the Township funds to maintain the road and this may also be a way to get the bridge near the Railroad rebuilt. Ms. Conlon stated she feels if people would travel the posted speed limit of 35 miles per hour there would not be a problem with the speed. Mr. Fazzalore stated the Police Department is now being more aggressive on speed enforcement.

Mr. Fazzalore announced that the discussion of Sandy Run bridge listed on the Agenda will be tabled this evening since they have been doing some investigation on what other options there may be for the bridge. He stated they are not prepared to discuss the matter this evening since they do not currently have all the information they need. One gentleman asked if the Bridge could not be opened up until a decision is made. He feels the bridge is safe. Mr. Fazzalore stated they have been told the bridge is not safe, and they will not open it. Ms. Bridget Shore, 937 Sandy Run Road, asked if the Parsons-Brinckerhoff drawing has been received. Mr. Fazzalore stated they did see a drawing, but there was not enough information as to how much land would be taken and what the cost savings would be. Mr. Fazzalore stated there are members of the Board who would like to maintain the bridge as close as possible to what it is now. Mr. Fegley stated the DEP does have certain requirements that must be adhered to in terms of flood water management. Mr. Norm Shore, 937 Sandy Run Road, thanked the Board for looking into alternatives. He asked that when they get closer to making a decision, that the residents be permitted to see the plans. Mr. Fazzalore stated they will have the Township Manager notify the residents in the immediate area when this is on the Agenda. Mr. Fazzalore stated it should be noted that they may still have to proceed with the original design.

APPROVAL OF MINUTES

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to approve the Minutes of September 17, 2001 as written.

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to approve the Minutes of October 1, 2001 as written.

CONFIRMATION OF PROCLAMATION HONORING PENNSBURY SCHOLARSHIP FOUNDATION

Mr. Fazzalore read into the record the Proclamation honoring Pennsbury Scholarship Foundation for forty-five years of service. A representative from the Foundation was present to accept the Proclamation this evening.

BUILDING FIRE SAFETY SURVEY REPORT DISCUSSION AND MOTION

Mr. James Yates, Fire Protection Consultant, was present to give a progress report on the survey he conducted. He stated there are one hundred and twenty commercial buildings in the Township, and they were authorized to survey forty. In thirty-one of the forty buildings, there were fire safety deficiencies as noted in the report submitted. Mr. Yates stated he has been in contact with the Fire Company and they have been very cooperative. Based on his surveys, Mr. Yates has concluded that the Fire Department has very little knowledge of the commercial buildings and the materials that may be housed in them. He stated the effectiveness of the fire safety systems have also been compromised in some situations. He would recommend that the Township adopt the 2001 edition of the International Fire Prevention Code. He would also recommend that administrative procedures be put in place for enforcement and that there be a training program to train potential inspectors. He has put together an action plan which was submitted to Mr. Fedorchak outlining nine steps to be implemented.

Mr. Fazzalore asked if those who were found deficient have been notified. Mr. Yates stated they have not. Mr. Garton stated he feels that they can send those individuals the results of the survey. The Board of Supervisors asked that this be done.

Mr. Allan stated he feels this was an excellent report. He asked if they went into any of the public schools, and Mr. Yates stated he has been in a number of schools in the Township and they are in good shape. He noted they did not include the public schools in their survey because of the timing of the survey.

Mr. Hackman stated he too feels this was an excellent report. He stated he feels they should move ahead with this and feels the fee structure should be put in effect from day one. He feels that they can keep track of the expenses prior to implementing the program and incorporate those expenses into the fee structure in some way.

Mr. Allan asked if Mr. Yates feels the Township needs to bring a Fire Marshall on board. Mr. Yates stated at this time, he does not feel it is necessary to have someone full time.

Mr. Hackman asked how often inspections would be made, and Mr. Yates stated there would be annual inspections and in some instances they would have more frequent inspections depending on the use. Mr. Hackman asked for an estimate as to how long an average inspection would take, and Mr. Yates stated it could take between one and a half and two hours for a building the size of the Municipal Building. He stated follow-up inspections would most likely take less time.

Mr. Hackman moved and Mr. Allan seconded to authorize the preparation and advertisement of the Ordinance as recommended and to authorize the Township Manager to work on administrative aspects including the fee structure.

Ms. Virginia Torbert stated she feels the Schools should be inspected very closely. Mr. Fazzalore stated once this is adopted all buildings in the Township will be inspected.

Motion carried unanimously.

TABLING DISCUSSION OF SANDY RUN ROAD BRIDGE

Mr. Allan moved, Mr. Fegley seconded and it was unanimously carried to table discussion of the Sandy Run Road bridge.

DISCUSSION AND WAIVING NORMAL LAND DEVELOPMENT APPROVAL PROCESS FOR RENOVATIONS TO QUARRY HILL SCHOOL

Mr. Ralph Nuzzolo, Superintendent, Mr. Gillette, Physical Plant Director, Dr. Bruce Johnson, Quarry Hill School Principal, and Ms. Jackie DiMeo, PTO President, were present. Mr. Nuzzolo stated the Quarry Hill School needs a number of repairs including a new roof, several areas of window walls which need to be replaced and improvements to the heating and ventilation unit including the installation of air conditioning. He noted they also have six modular units on the site. Mr. Nuzzolo stated when they went before the State Board, the Board indicated the modular units should come out if they wanted to receive State funds. The cost for construction of six permanent rooms would be less than the amount they would be receiving from the State. Mr. Nuzzolo stated the footprint of the existing modulares is approximately seven thousand square feet which is the approximate size of an addition of six permanent classrooms. They are requesting that the Township waive the normal Land Development approval process which will help with their timing concerns. They would like to be able to go out to bid no later than February, and begin construction in May so that a significant amount of the project including the new wing can be completed by the end of summer.

Mr. Garton noted that the Board does have the right to waive Land Development. He stated in this case, they are discussing replacing the same amount of impervious surface. He stated it does not appear that there will be more enrollment nor will there be new bus routes as a result of this new unit. He stated Building Permits would still be required.

Mr. Hackman asked about the design, and Mr. Nuzzolo stated the new addition would complement the existing structure.

Mr. Allan moved, Mr. Fegley seconded and it was unanimously carried to waive the normal Land Development Approval Process for renovations to Quarry Hill School so that they can move forward.

Mr. Hackman stated the Township owns land for open space, recreation, detention basins, etc. and they would like to get these properties off the tax rolls. He asked that the School District work with them to try to clear up this matter. Mr. Allan suggested that the School District and the Township work together on this matter. Mr. Fazzalore noted Pennsbury is not only a Lower Makefield Township District and there are other communities involved. Mr. Hackman stated when Lower Makefield waives the Land Development fees, this saves money for the other communities as well. Mr. Nuzzolo stated they can consider this to see how they can cooperate with the Township. Mr. William Taylor was asked to send the list of properties involved to Mr. Nuzzolo.

APPROVAL OF EQUIPMENT RENTAL AND TREE TRIMMING BIDS

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to approve the Equipment Rental and Tree Trimming Bids as per Mr. Coyne's letter dated 9/20/01.

APPROVAL OF 2001-2002 CONSORTIUM SALT BIDS

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to approve the 2001-2002 Consortium Salt bids.

Mr. Coyne stated last year they did go through what they had budgeted along with some extra. This year they will have to load up again. Mr. Fazzalore stated the bid is 11% higher this year than last year. Mr. Coyne stated this is due to supply and demand.

ACCEPT DEP RECYCLING DEVELOPMENT AND IMPLEMENTATION GRANT

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to accept the DEP Recycling Development and Implementation Grant in the amount of \$29,250.

AUTHORIZE TOWNSHIP SOLICITOR TO PREPARE AN ORDINANCE AMENDING THE TOWNSHIP CODE REGARDING OPEN BURNING

Mr. Garton stated DEP has asked that the Township update their Burning Ordinance which was written in the 1950's. They would like to have this done by December.

Mr. Fegley moved, Mr. Allan seconded and it was unanimously carried to authorize the Township Solicitor to prepare an Ordinance amending the Township Code regarding open burning.

DISCUSSION OF LINDENHURST ROAD SIGNAL AND REJECTION OF BIDS

Mr. Doherty stated they did receive two bids but because of some problems with the bidding procedure, he would request that they reject the bids and re-advertise.

Mr. Hackman moved and Mr. Fegley seconded to reject the bids received.

Ms. Karen Freedman asked the reason for the rejection of the bids. Mr. Garton stated the low bidder did not supply sufficient information to make a comparison to the other bid received.

Motion to reject bids carried unanimously.

Mr. Hackman stated he does not feel there is a need for a light at Twining Road at this time. Ms. Sue Herman stated she feels this is a very dangerous intersection where there is a blind spot for those going north on Lindenhurst Road. She also feels a light would slow down the trucks. Mr. Doherty stated his office was asked to do a study at Twinning Road at Lindenhurst Road, and it did meet the warrants. Ms. Herman stated the regional group that she represents is requesting that the light be installed. Mr. Fazzalore stated he felt there was discussion that a light could make this situation even more dangerous if there is a car stopped at the light and a large truck coming up behind it does not stop quickly enough.

Mr. Fegley moved and Mr. Allan seconded to authorize re-advertisement. Motion did not carry as Mr. Allan and Mr. Fegley were in favor and Mr. Fazzalore and Mr. Hackman were opposed.

DISCUSSION OF UPPER MAKEFIELD TOWNSHIP'S REPLY TO LINDENHURST ROAD TURNBACK CONSIDERATION

Mr. Fedorchak stated Upper Makefield has indicated that they are interested in discussing the turn back of Lindenhurst Road with Lower Makefield Township. Mr. Fegley stated he would be willing to work with Upper Makefield on this matter. He stated he also feels Newtown Township should be involved. Mr. Fedorchak stated Newtown Township was asked, but they did not respond. Mr. Fegley stated once a meeting date is decided upon with Upper Makefield, they should advise Newtown Township of the date. Mr. Fazzalore stated the letter from Upper Makefield indicates that their Supervisors wish to consider traffic patterns with a regional approach beyond simply restricting traffic on Lindenhurst Road. The Board of Supervisors was in agreement that Mr. Fegley would be their representative in the discussions.

DISCUSSION OF SENIOR CENTER ARCHITECT'S ESTIMATE AND AUTHORIZATION TO OBTAIN PROPOSAL TO DRAW UP PLANS

Mr. Fedorchak stated one month ago there was discussion about a Senior Center and estimated costs of construction. During that meeting, resident, Mr. William Gibney, indicated he felt the cost for construction would be \$75 per square foot. The Board of Supervisors had directed Mr. Fedorchak to find an architect and re-visit this issue. Mr. Fedorchak stated he contacted Donovan and Associates since they are currently working with Northampton Township on the design and possible construction of a

proposed \$14.2 million Community Center. Mr. Fedorchak stated Lower Makefield has also had experience working with them on possible renovations to the Police Department. Mr. Fedorchak stated he took the floor plan that had been prepared in 1999 and sent that concept to Donovan and Associates and they indicated that they felt they could construct a \$10,000 square foot building for \$2 million or less. They estimate the cost would be \$125 per square foot. Mr. Fegley stated when Mr. Gibney raised this issue he provided the name of an architect who had indicated the cost would be \$75 a square foot. Mr. Fedorchak stated that firm was William Majors and Associates; and while he did contact their offices three times, he received no response from Mr. Majors.

Mr. Hackman stated the Board has been considering this issue for a number of years. He stated he feels they should take the 1999 Plan and ask the architect who prepared it to update it to show a 10,000 square foot Senior Center. Mr. Fegley stated he feels they must demonstrate first that the building could be constructed without raising taxes. In the alternative, he feels they should go out for another referendum specifically for a Senior Center. Mr. Hackman stated even if they are going to have a Referendum, they still need a picture of what they are considering.

Mr. Hackman moved and Mr. Fazzaloro seconded to authorize the Township Manager to get in touch with Clarke Hinson to get a proposal to draw up plans for a Senior Only Center.

Ms. Dana Wyrick, 1512 Brock Creek Drive, stated she feels a Golf Course should also be on a Referendum because of the amount of money being considered. Mr. Fazzaloro stated the Board in the past has not put out a Referendum for the other recreational facilities in the Township such as Macclesfield Park. Ms. Wyrick stated she does not feel the Township residents have a say in how money is spent. Mr. Hackman stated according to State Law, the Board has the right to make certain decisions.

Ms. Ada Derr stated while the Seniors have built the Township, they have no recreation. She stated the Seniors pay taxes in the Township and have built the community.

Ms. Wyrick stated she does have respect for seniors but she feels everyone should be able to share any recreational facilities in the Township.

Ms. Maureen Friedman stated she feels there is a need for a Senior Center as well as recreational facilities that all can use. Mr. Fazzaloro stated the previous Referenda were for Community Centers which could have been used by all residents rather than only Seniors. Ms. Friedman questioned the difference in the cost for the proposed addition to the Quarry Hill School and the cost per square foot for the Senior Center. Mr. Fedorchak stated it appears that the costs are comparable. Mr. Fazzaloro reviewed the proposed costs which were provided in the architect's report. Ms. Friedman asked if there is any idea where the Senior Center could be placed, and Mr. Fazzaloro stated the Board has been discussing this and the Township does own land where it could be constructed. Ms. Friedman asked if they would put the building on a site which could be expanded upon, and Mr. Fazzaloro stated he feels that this is what would be done. Ms. Friedman asked if there is a plan available which she could review. Mr. Fedorchak stated he used the \$4.5 million Plan and cut it in half to get the estimate from Donovan and Associates. Ms. Friedman was advised to stop into the Township Office to review the plans currently available.

Ms. Sue Herman stated she would like to see a location which could be expanded upon so there would be room for an addition which could be used by youth as well.

Ms. Virginia Torbert stated she feels the only way a Senior Center will be built in the near future is if the Board proceeds with another Referendum for a Senior only Center.

Mr. Fegley stated he has received a number of calls from Senior Citizens indicating they do not want a new Senior Center built. He stated he does not have a problem with a third Referendum for a Senior only Center.

Ms. Diane Mays, Lanyard Road, stated she feels the Township should get out of the landlord business at Elm Lowne and the Tomlinson Store and use the funds received from the sale of these properties to build a Senior Center.

Mr. Richard Storm stated he feels they should consider how they are treating their Seniors. He stated seniors do not need a gymnasium.

Ms. Sally Conlon stated if they go out for a Referendum, it should be for a Senior only Center.

Motion carried unanimously.

APPROVE GRANT OF EXTENSION TO MISKIEL-DARRAH PRELIMINARY PLAN

Mr. Fazzalore moved, Mr. Hackman seconded and it was unanimously carried to grant an extension of time to Miskiel-Darrah Preliminary Plan to 11/22/01.

APPROVE GRANT OF EXTENSION TO FIRST BAPTIST CHURCH OF NEWTOWN PRELIMINARY PLAN

Mr. Fazzalore moved, Mr. Allan seconded and it was unanimously carried to grant an extension of time to First Baptist Church of Newtown Preliminary Plan to 2/6/02.

APPROVE GRANT OF EXTENSION TO FIELDSTONE AT YARDLEY (HARRIS FARM)

Mr. Fazzalore moved, Mr. Fegley seconded and it was unanimously carried to grant an extension of time to Fieldstone at Yardley (Harris Farm) to 11/30/01.

ZONING HEARING BOARD MATTERS

It was the consensus of the Board to oppose the Nova Care, 2000 Floral Vale Center, Variance request to permit a free-standing sign and the Schaffer, 1031 Randolph Drive, Variance request to construct a patio and sidewalk resulting in greater than the permitted impervious surface.

APPROVAL OF OCTOBER 1 AND OCTOBER 15, 2001 WARRANT LISTS AND SEPTEMBER, 2001 PAYROLL

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to approve the October 1, 2001 and October 15, 2001 Warrant Lists and September, 2001 Payroll as attached to the Minutes.

SUPERVISORS' REPORTS

Mr. Fazzalore asked that a meeting be called of the Pension Committee. He also noted that the Newsletter will be sent to the designer this week.

Mr. Fegley stated the Park & Recreation Board discussed the proposed Memorial for victims of the September 11 attack. They will be considering this further and discussing it at their next meeting.

Mr. Allan stated Comcast will be adding some additional channels. He stated there have been some problems with their bills because of a change to their system and those who have billing problems should contact Comcast who will correct the problem.

Mr. Hackman stated they are rolling out their DSL for the Internet and he understands they will be completing this by October. Mr. Allan stated he did not hear an exact date when this will be completed.

GOLF COURSE DISCUSSION AND AWARD OF BID TO BUCKS COUNTY ARTESIAN

Mr. Hackman stated nineteen test holes were dug at the proposed Golf Course site to look for rock which is important to help determine costs. He stated they did strike rock at varying heights throughout the site, although overall it is better than they had anticipated. The report has been sent to the architect to review and he will determine how this might impact the final costs.

Mr. Hackman stated Del Val looked at where they could find water and they have provided a report identifying five locations where wells should be dug. Mr. Fedorchak stated it is very important that they determine that there is sufficient water on site to service the facility. He would recommend that they award the bid to drill to Bucks County Artesian. He stated the cost to go a distance of 400 feet would be \$7800, but the cost may increase if they need to go deeper. Mr. Fazzalore asked that the Solicitor obtain the agreement with Keystone regarding impact on surrounding wells going dry so that the Township could provide a similar guarantee for wells surrounding the proposed Golf Course.

Mr. Hackman moved and Mr. Fazzalore seconded to award the Contract to Bucks County Artesian Wells to dig three bore holes at a cost not to exceed \$9,000 at the proposed Golf Course site.

Ms. Wendy Cacacie, Afton Avenue, asked if her well would be impacted by this proposal; and it was noted it was not felt her property would be impacted.

Motion carried with Mr. Fegley abstained.

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Mr. Fedorchak stated he feels they should hire Del Val as well since they will be preparing the report. The cost would be \$3,500. No voted was needed to be taken on this.

Mr. Hackman stated they did receive the marketing and financial analysis report on the Golf Course on Friday and the Finance Director is reviewing it at this time.

ESTABLISH DATES TO DISCUSS BUDGETS WITH DEPARTMENT HEADS

Mr. Fazzalore noted they will meet to discuss the Budgets with the Department Heads on Tuesday, October 16, Wednesday, October 17, and Thursday, October 18 from 10:00 a.m. to 12:00 p.m. Mr. Hackman stated he feels they may be able to complete this in two meetings rather than three. Mr. Fedorchak stated the staff is on "stand-by."

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

Respectfully Submitted,

Frank Fazzalore, Chairman



Township of Lower Makefield

BOARD OF SUPERVISORS

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

OCTOBER, 2001 WARRANT LISTS AND SEPTEMBER 2001 PAYROLL COSTS FOR APPROVAL @ OCTOBER 15, 2001 BOARD OF SUPERVISORS MEETING

10/01/01 Warrant List	\$ 196,132.26	
11/01 Prepaid Expenditures	112,261.27	
10/15/01 Warrant List	763,256.83	
Total Warrants & Prepays		1,071,650.36
<u>PAYROLL COSTS:</u>		
September, 2001 Payroll	289,098.67	
09/01 Payroll Taxes, etc.	22,116.05	
Total Payroll Costs		<u>311,214.72</u>
TOTAL TO BE APPROVED		\$ <u><u>1,382,865.08</u></u>

