

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - NOVEMBER 5, 2001

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on November 5, 2001. Chairman Fazzalore called the meeting to order at 7:40 p.m. noting that the Board had been meeting in Executive Session since 6:00 p.m. to discuss personnel, legal, and land matters.

Those present:

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

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

PUBLIC COMMENT

Mr. David Miller stated the Patterson Farm is behind his property, and he has noticed that one of the greenway areas that runs from Patterson Farm stone home to his property line is being filled in with blacktop shavings. Mr. Fedorchak agreed to meet Mr. Miller on the site tomorrow. Mr. Fedorchak stated he is aware that the Public Works Department is doing some work in this area but felt the entire scope of work was to tie the homesteads together with a road so that they could get equipment safely between the two areas. He noted there is an existing road on the property between the two houses. He stated Mr. Coyne was putting in milling where there was dirt and mud previously so that they could access the area easier. Mr. Miller agreed to meet with Mr. Fedorchak on the site, and Mr. Fedorchak will then report back to the Board.

Mrs. Godshalk stated she would like to speak as a member of the public. She stated she read in the Minutes of the last meeting that there was discussion on the proposed signal at Twining Road and Lindenhurst Road. Mr. Fazzalore asked that Mrs. Godshalk discuss this at the time the Minutes are considered. Mrs. Godshalk stated she would like to make a Motion on this matter. She stated a study was done and warrants indicated that a light could be approved at this intersection. She stated the bids were rejected at the last meeting, and a Motion was made to re-advertise. She stated the Motion did not carry as the vote was two to two. Mrs. Godshalk moved to authorize the re-advertisement for bids for the light at Twining Road and Lindenhurst Road. Mr. Fegley seconded. Mrs. Godshalk stated the homeowners groups in this area feel it is very important to have this light. She stated the reason given by the Board for not proceeding with the light was that a truck could rear end a car if you were sitting at the light. She stated this could happen at any traffic light. Mrs. Godshalk stated she feels the dangerous conditions and the speed being traveled on this road warrant the light, and it does qualify according to the study done. Mr. Hackman stated he feels they are corrupting the idea of Public Comment by discussing this at this time. Mr. Hackman moved to table the matter until later in the Agenda. Mr. Fazzalore seconded. Motion to table carried with Mr. Allan, Mr. Fazzalore, and Mr. Hackman in favor and Mr. Fegley and Mrs. Godshalk opposed.

APPROVAL OF MINUTES

Mr. Allan moved and Mr. Hackman seconded to approve the Minutes of October 15, 2001 as written. Motion carried with Mrs. Godshalk abstained. Mr. Fazzalore noted during that meeting there was discussion regarding the fire safety inspections, and he asked if a fee structure has been decided on. Mr. Fedorchak stated Mr. Yates is in the process of preparing a new Ordinance for the Board, and it will include a fee structure.

Mrs. Godshalk moved, Mr. Allan seconded and it was unanimously carried to approve the Minutes of the Special Meeting held October 24, 2001 as written.

DISCUSSION AND MOTION TO PROCEED WITH INSTALLING SANITARY SEWERS ON HILLSIDE, SPRING, AND QUARRY ROADS

Mr. Tom Zarko, CKS Engineers, Inc. was present. Mr. Fazzalore stated this discussion relates to the sewer portion only. Mr. Zarko stated as requested by the Township, his firm has completed the engineering design for the proposed sewer extension project. This design was presented at several Sewer Authority meetings over the past several weeks. During those meetings, three alternatives were developed. Lay out plans for each of these alternatives were provided to the Board of Supervisors and shown to the public this evening.

Mr. Zarko stated under Alternative #1, the sewer depth would have to be greater than anticipated because of the proposed roadway and drainage improvements in the area and as a result of physical inspections of the dwellings involved which showed a number of facilities (toilets, showers, etc.) are located in basements. He stated the total project cost would be \$583,000. He stated they prepared information showing the cost per residence under this alternative, and this information was included in the packet distributed this evening. He stated the residents would also have to pay the connection fee of \$3200 and the plumbing connection cost as well as the cost to abandon the existing system.

Mrs. Godshalk asked if those individuals who had facilities below ground could not use their own pumps so that the costs would not be so high. Mr. Zarko stated this was considered in another option. Mr. Fazzalore asked if they have considered how much rock they will hit if they have to go this deep and the potential for cave-ins. Mrs. Godshalk stated she is also concerned about the extra costs everyone is paying because of the homeowners that have facilities in the basement. Mr. Zarko agreed that eighteen feet is deep, although it can physically be done. He stated there will be an additional impact on the landscaping as well since the trench must get wider as well. Mr. Hackman asked if the \$583,000 includes repaving the roads. Mr. Zarko stated they have proposed to provide temporary paving in the road upon completion of the sewer project until the next portion of the total project comes in. They are only proposing a binder. The \$583,000 does not provide for permanent restoration.

Alternative #2 was reviewed, and Mr. Zarko stated this also involved a gravity sewer system; however there is a minor change in that the sewer main in Hillside Lane is extended back to Lindenhurst Road to accommodate one other property. With regard to Quarry Road properties, they would have a low pressure sewer system and each property would have their own small grinder pump/force main that would be owned and maintained by the property owner. The common force main would be owned and maintained by the

Township. The depth under this Alternative would be four to five feet in depth and they would not have the same concerns as with Alternative #1 nor would there be the same disturbance to the landscaping. Mr. Zarko stated they feel it would be more cost effective to install a common force main than a gravity main since it would be more flexible. This is the same type of system the Township installed at River Road/Robinson Place. Mr. Zarko stated they do have a lot of utilities in this area that they have to consider. With the force main, they can weave in and out, keep the depth shallow, and reduce the cost. The estimated cost for this Alternative would be \$495,000. He noted these costs are exclusive of easement acquisition or landscaping replacement costs.

Alternative #3 was noted which is to install a gravity system in the rear yards of the Quarry Road properties. The problem with this is that there are a lot of obstructions in the rear yards such as pools, sheds, and landscaping; and this would make this Alternative very difficult. The depth would be six and a half feet to nine feet and the estimated cost would be \$563,000.

Mr. Zarko stated after discussing the various Alternatives, a vote was taken by the Sewer Authority to recommend to the Board of Supervisors that they proceed with Alternative #1 and that the Township consider a contribution of 40% of the proposed cost. Mr. Zarko stated the front yard alternative would require easement acquisition.

Mr. Fazzalore asked if there are any non-functioning septic systems on Quarry Road, and Mr. Zarko stated there are including one of the most severe situations. Mr. Fazzalore stated they also have non-functioning systems on Hillside and Spring Lanes. Mr. Zarko stated there are visual problems noted and well water problems. Mr. Zarko noted that that analysis provided on resident costs, does not include any contribution from the Township.

Mr. Hackan stated the difference in cost for the various homeowners appears to be related to the length of the lateral for each individual residence.

Mr. Garton stated a final decision cannot be made this evening since this must be done by Ordinance.

Mr. Paul Gunkel noted the letter he sent to the Township. He stated he feels the cost per residence should be based on what the individual residence will get out of this rather than dividing it simply by forty-two residences. Mr. Hackman stated he feels a larger project which includes all the homes will drop the cost per home since they will get a better bid. Mr. Gunkel stated he does not disagree that it should be bid in this way, but he does not feel they should charge the same amount to all the residents.

Ms. Techla Gaye, 21 Spring Lane, stated she arrived late and asked for a review of the costs. This information was provided to Ms. Gaye. Mr. Zarko stated these figures were provided to those attending the Sewer Authority meeting, and Ms. Gaye stated she does have this information. Ms. Gaye asked about the possibility of low cost loans, and Mr. Fazzalore stated in the past they have done a number of things to accommodate the residents which will probably be done in this case as well. Mr. Hoffmeister stated this type of information is typically included in the Ordinance which they would advertise and then adopt.

Mr. Fegley moved and Mr. Allan seconded to proceed with the recommendation of the Sewer Authority for Option #1 including a 40% Township contribution.

Mrs. Godshalk asked why the Sewer Authority recommended this option when it will cost more. Mr. Franckowiak stated they always try to get in the most simple system possible. He stated one of the Sewer Authority members is an engineer, and he is very much in favor of the system they are recommending. Mrs. Godshalk stated this makes it more expensive for everyone to accommodate the nine homes, and in some of these cases they brought this on themselves by putting bathrooms in the basement. Mr. Zarko stated they would have to go nine feet deep on the average and twelve feet deep maximum if they did not have to accommodate the facilities in the basement. He stated eight of the nine residences would need a pump to accommodate the facilities they have at the lowest level if there were a first floor gravity system.

Ms. Shirley Gunkel, 24 Spring Lane, stated it appears that because those people chose to put bathrooms in the basement level, the rest of the homeowners are expected to shoulder this expense.

Mrs. Godshalk asked if they know whether all of these facilities were approved by permit. Mr. Hoffmeister stated many of these were built in the 1950's. Mrs. Godshalk stated she feels those with basement facilities should pay the difference.

Mr. Charles Quattrone, Quarry Road, stated his home was already built when he purchased it thirteen years ago. He stated to assume the houses on Quarry Road are causing the problems is simplifying the situation. He stated he has talked to experts who say the only way to proceed is with a gravity system.

Ms. Virginia Torbert asked if it is legal for the Township to make a differential contribution and compensate the residents differently. Mr. Fazzalore stated he would not agree to pay more than 40% of the cost. He feels that they should do the same in this situation that they have in the past.

Ms. Techla Gaye stated she would prefer a fluctuation in the contribution for those living on Spring Lane.

Mr. Paul Gunkel stated one of the concerns with going deep on Quarry Road was the problem of hitting rock, and he asked if the Township will cover the costs if they do hit rock. Mr. Zarko stated they feel the bidding process will include a clause that if they do hit rock, there will be not increase in the cost to the Township. It will be unclassified. Mr. Garton stated unclassified means the contractor will cover the extra costs.

Mrs. Godshalk asked if those who have the basement facilities have pumps at the current time, and Mr. Zarko stated they may not since their systems are in the rear yards and in many cases it goes by gravity and they do not need a pump. He stated he feels two of the properties do have a pump.

Mr. Hackman stated he understands that they will need easements, and Mr. Zarko stated there will be a total of eleven on-site and one off-site (Floral Vale property) easements needed. Mr. Zarko stated this is for the Hillside/Spring Lane portion, and this was shown on the Plan. Mr. Hackman asked about the Wright property, and Mr. Zarko stated an easement was provided as part of Bridle Estates. Mr. Hackman stated the property owners along Quarry Road need to provide easements; and he feels if the costs are going to be spread evenly, the easements should be provided to the Township at no cost. Mr. Fegley

stated this would be a fair way of handling this since if they did not have the basement facilities on Quarry road, the costs could have been lower.

Mr. Fegley moved to amend the Motion that easements required from Quarry Road residents should be acquired at no cost. Mr. Allan seconded the amendment, and the Motion as amended carried unanimously.

AUTHORIZE RE-ADVERTISEMENT FOR BIDS FOR LIGHT AT TWINING AND LINDENHURST ROADS

Mrs. Godshalk reiterated her comments made earlier regarding the need for a light at Twining and Lindenhurst Roads.

Mrs. Godshalk moved and Mr. Fegley seconded to authorize re-advertisement for bids for the light at Twining and Lindenhurst Roads.

Mr. Hackman stated he is very aware of the traffic situation on Lindenhurst road and regardless of the warrants, he does not feel anyone is interested in a light at this location. A number of people in the audience stated they were in favor of this light. Mr. Hackman stated he does not feel there is a problem coming out at Twining Road. He stated if they install a light at this location, it will create accidents with trucks coming down and approaching a stopped car.

Ms. Irene Koehler stated she would be in favor of this light so that there are two lights on Lindenhurst Road which will help slow down the traffic. She noted there is a shoulder at this location where a truck could pull over.

Mrs. Godshalk stated traffic in the morning coming from Newtown is trying to make a left turn onto Twining Road which is very difficult. She feels this is how they met the warrants.

Mr. Gary Pajer, 17 Spring Lane, stated he has lived in this area for eleven years and has never had a problem at this intersection. He feels a light will cause an extra impediment.

Mr. Len Franckowiak stated two years ago the residents did come in and request that this intersection be studied for a light. Mr. Hackman stated the neighbors that came in had the objective to slow down the traffic on Lindenhurst Road and to get the truck traffic off this road. Mr. Franckowiak stated he does not want to wait until there is a serious accident at this intersection before they install a light.

Mr. Ed Donner agreed with Mr. Hackman and stated he has never had a problem at any hour of the day at this intersection. He stated he feels this is a waste of time.

Mr. Fazzalore noted that lights are expensive to install and expensive to maintain.

Ms. Techla Gaye stated she has lived in the area since 1965 and does not feel a light is necessary at this location.

Ms. Claudia Fontaine stated she lives in the area and feels it is a very dangerous situation. She stated if there is a light, people will be more cautious.

Mr. Fegley stated he felt they considered accidents in determining warrants, and Mr. Doherty stated they do consider accidents and there were also enough conflicting movements to warrant a light.

Motion carried with Mr. Allan, Mr. Fegley, and Mrs. Godshalk in favor and Mr. Fazzalore and Mr. Hackman opposed.

AWARD BID FOR SILVER LAKE SEWAGE PUMPING STATION ELECTRICAL DISTRIBUTION EQUIPMENT UPGRADE

Mr. Zarko was present and stated this project involves replacement of all electrical equipment with the exception of the generator. Most of the equipment is over forty years old. Mr. Zarko stated they received twelve bids and reviewed the references and qualifications of the low bidder and found them to be well qualified. He noted this company also did the Sherwood Park electrical project. Mr. Zarko stated the low bid is below the estimated cost. He estimates the entire cost for the project will now be under \$100,000.

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to award the bid for the Silver Lake Sewage Pumping Station electrical distribution equipment upgrade to A.C. Scott Electric in the amount of \$76,250.

DISCUSSION OF TOWNSHIP GOLF COURSE FINANCIAL FEASIBILITY STUDY AND APPOINTMENT OF CONSTRUCTION MANAGEMENT FIRM

Mr. William Taylor, Finance Director, was present and stated the previous feasibility study was done in 1996 and indicated the Golf Course was capable of being self-sustaining. Since so much time had passed, the Board of Supervisors felt a new study was warranted. The new study indicated that the Course will still be self-supporting if the cost of the debt payments are kept at \$1,185,000 in the fifth year of operation. If the amount borrowed is \$14 million or less they will have an annual debt service that will be under \$1,185,000. Mr. Taylor stated they have recommended that the project go forward.

Mr. Fazzalore stated the financial information is on file at the Township, and Mr. Fedorchak stated some residents have already reviewed the documents.

Mr. Hackman stated he feels there is a good chance that the number of rounds will go up faster than the projections in the study. Mrs. Godshalk noted the more rounds they have, the more maintenance they will have as well. Mr. Fazzalore stated this Course is to be designed as an affordable, upscale Course. Mr. Hackman stated this relates to the Course fees. Mr. Taylor noted the calculation used was \$35 a round average.

Mr. Bulger from Township Line Road, asked what Debt Service includes, and Mr. Hackman stated this includes principal and interest. Mr. Taylor stated they will have a sinking fund.

Mr. Barry Wood, 20 Glen Drive, stated he reviewed the information available and stated no survey was made of the property and the economic feasibility study was done prior to the recent events that have taken place in the Country. He stated the report also assumes that

the property will be efficiently managed and properly maintained and he questions if the Course will be maintained by Township employees. Mr. Woods also questioned some of the environmental issues including pesticides and run off. He stated the report indicates that Municipal Golf Courses are experiencing increasing costs for maintenance. He stated the report indicates there was no change in the number of golfers Nationally in the year 2000. Mr. Wood stated this confirms information he has read recently in Nationally respected publications which question the number of golfers for the number of courses available. Mr. Wood stated the report also indicated that the higher the income of an area, the more the tendency is for golfers to use private or dues-paying courses. Mr. Wood stated the report indicates that several new courses are planned in the area to the north of the property which could satisfy the need, although it does note that there could still be a need for additional facilities. Mr. Wood asked if the Board conducted a survey or opinion poll to indicate that there is a demand for a Golf Course. He stated the only indication they have is a petition signed several years ago by 110 people who indicated they would like a Golf Course. Mr. Wood stated he does not feel there is a demand for this Course in the Township and feels it will be a burden to the Lower Makefield Township taxpayers. He does not feel the break-even will occur in five years. He questions why they are proceeding with a Golf Course without a Referendum when they will not proceed with a Senior Center without a Referendum. He suggested that the Golf Course be put off at this time.

Ms. Virginia Torbert stated she also read the report and feels the report is lukewarm in terms of its recommendations particularly in the conclusion. She does not feel they will be able to have an excellent Golf Course and still charge only \$35 a round. She is also concerned with the maintenance costs and questions who will maintain the Course. Ms. Torbert asked if the legal issue has been resolved with respect to the property, and Mr. Garton stated they anticipate a Board of View Hearing in the next few months.

Mr. Derrick Davis, Spring Lane, stated it is very difficult to get a tee time in this area. He stated he would prefer that there be a Golf Course on this property as opposed to homes built. He stated he feels they must charge more than \$35 a round if they are going to have a quality Course.

Mr. Bulger stated he is opposed to the law that allows them to take someone's property for a public purpose. He asked that this matter be put on the Ballot.

Mr. Hackman congratulated those residents who took the time to review the report. He stated he feels the study was a professional job and very detailed. He stated he is pleased that it supports the previous report. Mr. Hackman stated the figure of \$35 was used as an average since they expect that residents will get a break in the cost. Mr. Hackman stated of all the items the Board has been involved with, he receives more comments from people asking when the Golf Course will be built than anything else; and he feels this will be very successful and will be done right.

Mrs. Godshalk stated with respect to Mr. Bulger's comment, that the individuals who own the property involved have not lived in the Township for twenty-five years, and they had the property up for sale for many years. She stated five developers had submitted Plans for the property. She stated they have not put a farmer off his land. Mr. Bulger stated he still does not feel they should use the law to get this property. He stated he does not feel they could get 50% of the people in the Township to vote in favor of this project. Mr. Allan

noted that a residential development would be more of a tax burden to the residents because of the impact on the Schools were this to be developed as housing.

Mr. Fegley noted he has consistently taken the position not to vote on any matters pertaining to the Golf Course because of the proximity of the proposed Golf Course to his home. He noted he purchased his home prior to becoming a Supervisor and prior to there being any discussion about a Golf Course at this location.

Mr. Hackman asked what action was required of the Board, and Mr. Garton stated at this point the Board has accepted receipt of the study presented and noted it is available for review by the public.

There was discussion on the appointment of a construction management firm.

Mr. Fazzalore noted the Golf Course Committee and the Board of Supervisors have interviewed a number of firms. Mr. Hackman stated there were two firms they felt could do a good job - the Billy Casper Group from Virginia and the Rainmaker Group from Maryland. Mr. Hackman stated while the Golf Course Committee recommended the Billy Casper Group, he feels they would benefit more from the services of the Rainmaker Group as they are staffed with more professional people and they have a better chance of getting the Course built on time and on budget.

Mr. Hackman moved and Mr. Allan seconded to appoint the Rainmaker Group subject to a mutually agreeable Professional Services Agreement.

Mr. Fazzalore stated both Mr. Fedorchak and Mr. Taylor agreed that Rainmaker would be more beneficial to the Township than the Casper Group. Mrs. Godshalk stated the cost for the Casper Group is \$122,000 lower than the Rainmaker Group. She stated Rainmaker did advise how they could save money on the Course, and she feels the Casper Group could also provide these savings. She stated the Casper Group can provide almost daily inspection since one of their principals lives in the Township. She stated Rainmaker only guaranteed one day a week. Mr. Hackman stated the individual from Rainmaker who will work on this project is a professional engineer and has a Masters Degree in Construction Management. One of the other principals has an extensive financial background and could help with financing. Mr. Hackman stated he feels the Billy Casper Group may be an excellent candidate for managing the Course at a later time. Mrs. Godshalk stated she would depend on the Financial advisor that the Township has currently. She stated they will also be hiring an engineering firm so that they will have professional engineers.

Mr. Barry Wood asked if this means the project is proceeding, and Mr. Fazzalore stated it means the project is proceeding at this time; although they could decide to stop the project in the future. Mr. Hackman stated the contract does include a buy-out clause if it is determined that this is not feasible at some time in the future.

Ms. Torbert asked what they have estimated for the cost of the land in the \$14 million figure. Mr. Garton stated they cannot discuss this at this time. Mr. Hackman stated at the current time they have paid \$3.3 million for the property which was the appraised value in 1996.

Mr. Chip Kern, Golf Committee Chairman, stated the Golf Committee has recommend that the Board of Supervisors proceed with the Casper Organization; and he agreed with

