

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - DECEMBER 17, 2001

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on December 17, 2001. Chairman Fazzalore called the meeting to order at 7:35 p.m. noting that the Board had been meeting in Executive Session since 6:30 p.m. to discuss personnel, land, and legal 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. Richard Storm thanked the Board for the work they did this year and wished them a happy holiday.

Ms. Sue Herman asked for an update on the meeting held with Upper Makefield regarding the turnback of Lindenhurst Road. Mr. Fegley stated Upper Makefield indicated they were not interested in this since they felt that if they shut off truck traffic from Lindenhurst Road, it would only funnel it off in a different direction. He stated Upper Makefield is considering taking a position in support of fixing the culvert in Wrightstown. He noted there was also some talk about Upper Makefield taking back Stoopville Road, and they indicated they would agree to take back Lindenhurst Road if Lower Makefield would agree to take back Stoopville; although he is not sure this suggestion has the full support of the Upper Makefield Board. Mr. Fegley stated he feels they can discuss this matter further in the future. Mr. Fazzalore stated Newtown Township would also be involved in this, and indications are they would not be in support of this. Mr. Fegley stated they will continue to discuss these matters.

Mr. Allan read into the record (copy attached) his thoughts about serving as a Township Supervisor since this evening is the last night of his term. He thanked members of the Township staff, the other Supervisors, and the Township residents for the opportunity to serve.

APPROVAL OF MINUTES

Mrs. Godshalk moved, Mr. Allan seconded, and it was unanimously carried to approve the Minutes of December 3, 2001 as corrected.

DISCUSSION AND APPROVAL OF SITE FOR NORTH FIRE STATION

Mr. Winslade, Mr. Cadwallader, Mr. Newman, and Mr. Murphy, attorney, were present. Mr. Winslade showed a picture of the latest rendition of the proposed Fire Station. He noted the bays will come out onto Dolington Road. Mrs. Godshalk stated she felt originally the bays were to come out of the rear of the building; however, there was disagreement on this by others present this evening. Mr. Winslade stated they plan to proceed with Land Development in the first quarter of the new year. They hope to break ground in March or April of 2002 and hope to occupy the building in November or December, 2002. They have selected Steve Elton as the architect.

Mr. Fazzalore asked if they have any idea of the cost of the project, and Mr. Winslade stated they do have a budget. He stated they will have a brick face and feel it will fit in with the surrounding area. The estimated cost will be \$1.3 million. Mr. Fazzalore stated there is still some question as to the location of the fire station. He stated since the original discussions, they purchased additional land; and a decision was made in August to move the fire station 150 to 200 feet south of the sign which is currently posted on the property.

Mr. Hackman stated on the Official Map it indicated that they may at some time re-locate Dolington Road to line up with Creamery. He asked if the new location takes this into account, and Mr. Winslade stated it does.

Mrs. Godshalk stated she is concerned since she felt the doors would be in the rear. She is also disturbed about the red brick proposed rather than stone. Mr. Winslade stated stone would be much more costly. Mrs. Godshalk stated she would prefer stucco with a little bit of stone rather than the brick. Mr. Fedorchak asked if they could have the architect bid it out different ways. Mr. Fazzalore stated they should keep in mind that the amount of money they borrowed is to pay for everything. Mrs. Godshalk stated she also felt they were going to cut down the size. Mr. Winslade stated it was reduced to 8,300 square feet. They are no longer considering the loft and it will all be on one floor.

Mr. Hackman stated there are two doors on the back of the building so that they can drive through.

Mr. Fazzalore asked if equipment will be moved from other stations, and Mr. Winslade stated this is a line decision.

Mr. Allan asked how this station will help with response time, and Mr. Winslade stated he feels they can cut six minutes off for the northern end of the Township.

Mr. Charles Lombardo stated his home faces Dolington Road. He stated he has lived there for twenty-one years and had not heard anything about what was happening until he saw something in the local paper recently. He stated he is concerned about putting a fire station in a residential neighborhood rather than in a commercial area. He stated he recognizes the need for a fire house, but feels it should be closer to I-95 and be as far back as possible. He is concerned about sirens and traffic. Mr. Fazzalore noted there will be no siren on the buildings. Mr. Lombardo stated he questions how it is possible to use the land which was purchased for open space for construction of a building. Mr. Fazzalore stated they purchased the two acres separately from the open space and they will swap those two acres if they proceed with the project. Mr. Lombardo stated he feels the building should be back

where it was originally proposed. He noted he feels the only additional cost would be the extension of the driveway.

Ms. Virginia Torbert asked why Mr. Lombardo was not advised when this matter was previously discussed since he is an adjoining neighbor. Mrs. Godshalk stated when they discussed the original location, everyone was notified; and this is why it was moved to the two acre parcel they purchased. She stated many people from the community attended those meetings. She assumed people would have been notified when they had the meeting in August. She stated she was opposed to the Fire Station being moved to this location.

Mr. Lombardo stated he called the Township last week to get a site plan but was told this was not available. He stated he questions how they are going to break ground in the spring if they do not have a site plan. Mr. Fazzalore stated they indicated this evening that they are now going to prepare the site plans. Mr. Lombardo stated he does not feel they should be making this significant a change without proper notice. Mr. Fedorchak stated the next step is a Land Development Plan, and they will provide the details at that time that many of the residents are requesting. He stated at that time they will discuss sewers, stormwater management, etc. Mr. Lombardo stated he feels they should also consider where this will be located. He feels this is going to end up in a court case. He feels the matter can be easily solved if they leave the fire station where it was previously located. He stated he feels that the only problem with that location was a line of sight issue and to solve this they could make changes to the driveway.

Mr. Fegley stated the Fire Department presented the Board with three different options. The Fire Department's preference was for the station to be located at the corner so that they would have access off Quarry Road and Dolington Road. The original site was also proposed, and they eventually reached an agreement on the current site as a compromise. Mr. Winslade stated there were additional infrastructure costs in the amount of \$100,000, the line of sight issue, and a fill situation if they were back by I-95.

Mr. Richard May stated he resides at the corner of Creamery and Quarry Roads. He stated the prior site was impractical because of road improvements planned for this area. He stated other areas where fire stations are located were in existence before the houses were built. They are now planning to put a fire station in an established community. Mr. May stated they were not notified about this change of location. He stated the sign suggests that the fire station will be placed at that location and not 200 feet south of the sign. He stated he understands public restrooms were also going to be installed. Mr. Winslade stated these have been eliminated but they have made a provision that is something develops with the park property, they can hook into their sewer system. Mr. May asked if there could be soccer fields on that open space, and Mr. Fegley stated this is possible since open space could mean recreation land.

Mr. Fedorchak stated that although the property has been purchased, they have not made the final accounting yet as to where the money will be coming from since this is a decision for the Board of Supervisors to make.

Mr. Lombardo stated it seems something is not being done properly.

Mr. Russ Belmont stated he has been in the Township for over forty years. He stated this matter has been in front of the Board for nine years. He is concerned that people are just now coming before the Board of Supervisors. He stated he does not want to have to pay

more taxes to cover the additional cost of \$100,000 to extend the driveway and move the project.

Mr. Bill Roberts, 1505 Dolington Road, stated if the location were based solely on response time, the ideal location would be Woodside and Dolington Roads. Mr. Hackman stated Quarry Road and Dolington Road would be the ideal location from a response time standpoint. Mr. Fazzalore stated they do not own anything in that area. Mr. Roberts stated he does not feel the Board of Supervisors ever gave them any notice although prior Board Minutes make it seem like the neighbors were canvassed. He stated the Snipes property was purchased with funds for open space and buildings are not permitted. He does not feel swapping this land is a "like for like" swap. He stated Site B is a hideous location for a fire house since it is directly across the street and in plain view of Elm Lowne. He stated if they want Elm Lowne to be self-sustaining, they should not devalue this Township asset. Mr. Roberts stated currently there is a gated entrance to the Christmas tree farm which he feels is a very safe location. It is slightly north of the barn entrance so it is out of view of the main area of Elm Lowne. He stated the fire house could use this driveway and could then be located on site A. He stated the drive-through design will also help eliminate accidents. He noted the Perry Street Fire House in Trenton which is a beautiful fire house and cost \$15 million. He stated they also have the drive-through design. He stated he does not feel the neighbors would object to that location, and it will not involve construction of a building on open space land. He stated at that location it will not devalue the surrounding properties.

Mr. Fazzalore suggested the Fire Department come back with two different Land Development Plans and the costs associations with each - one for Site A and one for Site B. Mr. Doherty stated this was already done in August, and the Board decided to go ahead with the location currently being shown. Mr. Roberts stated this was a different situation because they were then considering public restrooms and they are not considering these at this time. Mr. Doherty stated this did not only involve public restrooms as there were also issues with the sewer lines and other infrastructure issues. Mr. Doherty stated the installation of a sewer line at that location would also impact Elm Lowne.

Ms. Sally Conlon stated this is not a new issue. She stated it has been discussed many times and has been in the paper many times. She does not want to have to pay more money to run sewer lines up the road. She also does not want to see installation of additional impervious surface.

Mr. John Bingly, Quarry Road, objected to the location under discussion. He stated they did not get notification of the August 6 meeting. They were aware of the original location, but were not notified of this change. He suggested that if they are only moving this a few hundred feet, at 40 miles per hour this is only a few seconds. He feels it should be put in the original location, and they should install an indicator on the other side of I-95.

Mr. Larry Keller stated he is an attorney representing Joyce Scott of 1509 Dolington Road. He stated he went through the Minutes, and Mr. Fegley and Mr. Fazzalore had expressed concern about notice of residents. He stated he feels they should now be concerned about the fact that none of these people were advised of the August 6 meeting. He stated he feels the canvass of neighbors is being given this evening, and the Board of Supervisors should now re-examine this site move.

Mrs. Godshalk stated in the Minutes of the last meeting, Mr. Winslade indicated that all the neighbors had been spoken to and agreed to this location, and she later found out that the neighbors had not been spoken to. Mr. Winslade stated he did not feel that he had indicated this.

Mr. Allan asked which site the firemen present feel is the most safe site. He stated he feels they should place it at the site they feel is safest.

Mr. Allan moved and Mr. Hackman seconded to place the fire station where the firemen feel is the safest location which is Site B.

Mr. Fegley stated he is concerned with the notice issue. He stated he remembers that he was not happy with moving it from Site A to Site B but he cannot recall all the details including increased expenditures and the sight distance.

Mrs. Godshalk stated she wanted it at the original location. She feels the safety issue is not really as large a problem as they think it is. She stated when you are in a fire truck, you are up higher, and you have better visibility. She stated if the new road goes through, the fire house at the currently proposed location will be setting on the road because of the way it is curved. She stated she feels it would be better to consider the matter again so that it is done properly even if it takes a few more months to decide.

Mr. Hackman stated the safety issue includes the safety of the volunteers getting to the fire station as well as when the fire trucks leave the station. He stated if you ask the firemen, the proper place is the corner of Quarry Road and re-vamped Dolington Road since this would be the easiest to get to and would provide the fire equipment the best way to go in a number of directions to respond to a fire. He stated the problem is no matter where they want to put it, people object. He feels they should get a fire house built in this area, and he would like to put it where the firemen feel it is best to be located. He feels this is why this decision was made.

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

APPROVE BID SUBMITTED BY ROBERT SILL, JR. FOR THE SALE OF THE TOMLINSON STORE

Mr. Fazzalore noted while the discussion of the possible role of the Bucks County Redevelopment Authority as it relates to the Tomlinson Store was on the Agenda, Mr. Robert White, who was to discuss this, is not present this evening.

Mr. Hackman moved and Mr. Fegley seconded to approve the bid of Mr. Robert Sill Jr. in the amount of \$327,000 for the purchase of the Tomlinson Store which includes all the conditions thereof.

Mr. Hackman asked the Township Solicitor to summarize the conditions under which the property is being sold, and Mr. Garton stated these are set forth in the Agreement of Sale which was submitted by the bidder and prepared as part of the bid package which was advertised and was available for review at the Township. He stated the conditions include the payment of the purchase price, and it is not contingent upon any financing on the

part of the buyer. It is subject to whatever zoning restrictions are in place. It is to be purchased "as-is." The property will be subject to a facade easement to maintain the facade of the building as it currently exists and this will be recorded of record prior to the transaction. A Conservation Easement will also be recorded of record which will prevent the open space portion of the property from being developed. This open space area will be recorded in favor of the Township. In addition they also set forth various other issues concerning access to the property for inspections, and represented that there are no leases. Closing will take place within thirty days and the deed will be conveyed by a special warranty deed. It also includes other matters that are traditionally set forth within the terms of an Agreement of Sale.

Mr. Robert Sill was present and stated he wanted to have settlement on February 1 but would agree to all other conditions. Mr. Garton stated the law says they must close within sixty days, and the Board could extend settlement to be on or before February 1.

Mr. Hackman noted the property was appraised by Mignoni on 4/12/01 and estimated value was \$225,000.

Mrs. Godshalk objected to this since she stated the appraisal of April 12 was for a lot of less than 2/10ths of an acre. She stated she advised the Solicitor of this fact. She stated this did not include the entire lot of practically 7/10ths of an acre. She stated there seemed to have been a mistake in Doylestown so that the \$225,000 was based on the small piece of property. Mr. Fazzalore asked if this included the home, and Mrs. Godshalk stated it did on 2/10ths of an acre. Mrs. Godshalk stated this matter was discussed in Executive Sessions but the Conservation Easement and Facade Easement were never given to the Historic Commission for their review. She stated this house has been under their guidance since she had the house given to the Township twenty-four years ago by the developer of Rose Hollow. She noted Mr. Garton's letter of 6/15 to Mr. Fedorchak wherein he attached various documentation and the last sentence in the letter asked that this matter be scheduled for discussion at a Board of Supervisors' meeting. She stated this was never discussed at an official Board of Supervisors' meeting and was never voted on publicly. She feels this sets a dangerous precedent for any other property that the Township owns that this could be done without being done at a public meeting. She stated this is a valuable historic property in the Village of Edgewood and the Board of Supervisor has approved a study for the development of the Village. She stated sewers will be going in probably within the next two years and this will make this property much more valuable. She stated while there was a little more dealing with rental people, it was no more over the long run than any other property that the Township owns. She stated she objected at the bid opening because of non-public notice. She noted members of the Historic Commission are present this evening to speak to this matter.

Mr. Hackman asked Mr. Garton if there is any legal reason why the property cannot be sold at this time. Mrs. Garton stated there is no reason since the decision is now being made at a public meeting this evening. He stated the Sunshine Law requires official action to be taken at a public meeting and this is being done this evening.

Mr. Fegley asked about the appraisal, and Mr. Garton noted the appraisal gives the actual dimensions which equals .7 acres. Mrs. Godshalk stated this was not in the original appraisal and was only added when she raised this issue. Mr. Garton stated this is incorrect and it was in the appraisal on page 7. Mrs. Godshalk noted there are two other buildings within Edgewood Village for sale, one listed at \$550,000 which is less desirable

than this tract and another is listed for \$660,000 which is owned by Mr. Mignoni's family with less parking than the Tomlinson Store has. Mr. Hackman stated twelve people expressed interest in the property and some of them indicated one of the problems was with all the restrictions being placed on the property. They therefore did not put in a bid.

Mrs. Godshalk stated she had asked Mr. Fazzalore not to proceed with this matter since she would not be attending some of the meetings. Mr. Fazzalore stated this was done after Mrs. Godshalk returned. Mrs. Godshalk disagreed. She stated she presented some proposals in Executive Session to manage the property, and they had not advised her that it had been advertised. She stated she found out from someone else that it was in the paper. Mr. Fazzalore stated their discussion was that they would not sell the property until Mrs. Godshalk's return.

Mr. Bozzo, Randolph Drive, asked if they are considering the highest bid, and Mr. Fegley stated this was the only bid they received. Mr. Fazzalore stated if there were more bids, they would have had to take the highest bid. Mr. Bozzo asked if the property will maintain the same character, and Mr. Fazzalore stated this is the purpose of the restrictions. Mr. Bozzo stated he is not an advocate of a Township owning rental properties.

Ms. Ann Langtry, Chairman of the Historic Commission, stated they are formally objecting to the "backroom" strategy in placing this building up for sale. She stated there was very little notice. She stated there is a viable alternative that they recommended to the Board in a letter which was ignored. Ms. Langtry stated she felt this had to go before through the Court of Common Pleas since it was donated. She provided Mr. Garton with information on this. She asked if this was a valid appraisal if the amount of land was changed.

Mr. Fazzalore stated they had the proper dimensions even though the 2/10ths was wrong. Mr. Garton stated the Section Ms. Langtry has provided does not relate to this since there was nothing on the Plans indicating it was restricted for any specific purpose.

Mrs. Godshalk stated it was given to them for historic preservation, and they applied for Community Development money which they could only get because it was a historic preservation project. Mr. Garton stated Mrs. Godshalk acknowledged that there were no restrictions on the donation. He stated they may have obtained Federal money after the fact, but it was not given from the developer for that purpose. Mrs. Godshalk stated she feels it was given for historic preservation and open space. Mr. Garton stated he feels she has changed her position since they last spoke, and Mrs. Godshalk stated she had not.

Mr. Garton stated he saw something written down that she indicated that this had no specific purpose other than it was a gift. Mrs. Godshalk disagreed. She stated this was a gift because it was going to be knocked down for open space which was required for Rose Hollow and road widening. She acknowledged the historic value of the house and it was given to the Township for historic preservation and open space. Mr. Garton stated there is nothing on the plans and there is nothing on the deeds that has any restrictions on it.

Ms. Helen Heinz stated she feels that in accepting the funds from Community Development and making it the showpiece of the Village, it is irresponsible of the Board of Supervisors to sell this property.

Ms. Deborah Gould, 1466 Oxford Valley Road, stated the Board of Supervisors is scaring her since they discussed in private sessions what buildings they plan to sell. She is concerned about what other buildings they may sell. She stated the Board of Supervisors does not have the right to design the Township.

A gentleman from Ascot Court asked the reason to rush the sale of this building. He feels they should take the time to review other options.

Mr. Tristan Heinz, Stony Hill Road, asked why they only had a ten day bidding process. He also questioned why there was no blatant advertising. Mr. Fegley stated there were twelve individuals who did express interest. He stated this matter has been a topic of conversation for some time. He stated they went out for an appraisal in April. He is in favor of approving the sale since the Township has owned the building and rented it out to a number of commercial entities. The rent has barely covered the expenses to the Township of the repairs required. It is not currently on the tax records so the Township does not receive any tax revenue from this property. This individual has agreed to keep it in the same fashion it is now and run a business from the building. It will then go back on the tax rolls, and the Township taxpayers will save the expense associated with the maintenance. He feels this is a better financial situation for the Township.

Mr. William Roberts stated he does not feel they are giving Mrs. Godshalk sufficient time to get back on her feet. Mr. Allan stated the Historic Commission knew about this in February since it is noted in their Minutes. He stated Mrs. Godshalk and many of their members were present at that meeting. Ms. Langtry stated the Historic Commission was very busy developing options to present to the Board of Supervisors and submitted a two-page memo detailing options which went ignored by the Board of Supervisors. Mr. Allan stated this did not come to them until October. Ms. Langtry stated she feels the plan by the Redevelopment Authority offers a plan that would be even more lucrative. She feels there was a betrayal of trust since they felt they had additional time since Mrs. Godshalk was in mourning.

Ms. Rae Pinchuk stated she can see their point in wanting to sell the property; however, if the Township is about to plan a major development of this area, the property will skyrocket in value and she questions why they would be selling it at this time. There was discussion on the plans to develop the Village and the timing involved.

Motion carried with Mrs. Godshalk opposed.

DISCUSSION AND APPROVAL OF PAA PROPOSAL TO UPGRADE DUGOUT FACILITIES

Mr. Jack Morrison and Mr. Kurt Kramp were present. Mr. Morrison stated they would like to construct field dugouts over a two-year period. This would be at PAA's total expense from the ground up. Park & Recreation will pay for the slabs and footers. Each dug-out will include the same facade as the new refreshment stand. They will be 8' by 28' in size. Phase 1 for this season would be accomplished in the remaining 2001/2002 season, and would include Macclesfield B, Stoddart 1 and Stoddart 2. He noted PAA would also assist the Township in planting trees along Edgewood Road. Phase 2 would be the Pool field, Macclesfield A, and Macclesfield H. Mr. Fazzalore stated he felt they had indicated at the last meeting that they should do the Pool field first; and Mr. Morrison stated while they had discussions on a number of scenarios, they had no closure. He stated they were asked to bring back pictures and diagrams of the proposed dugouts, and they have these to present this evening. Mr. Morrison stated the Pool field is not actually one of their primary fields at this time. They would like to proceed with Macclesfield B, Stoddart 1 and Stoddart 2 where most of the children play baseball.

Mr. Hackman stated he is not in favor of this project because of the aesthetics. He added if they are concerned about safety relating to foul balls, he feels they should put a canvas or awning material over the current fence. He is also concerned that these dugouts will be very hot for those sitting in them. Mr. Hackman stated since it is to be a solid structure, it will block off over 28 feet and people will not be able to see through them. Mr. Morrison stated because of the angles, you will only be able to see two of the dug outs from Edgewood Road. He stated it will be the same facade as the concession stand. He stated he can provide documentation showing that the dugouts actually reduce the heat. He stated a solid block wall is also welcome since it stops distractions. Mr. Hackman stated if the Board decides to move ahead with the project, he feels they should start at Macclesfield B and they can then see what it will look like and how it will operate. Mr. Morrison stated his concern with this is that every time they place an order with the builder, there is an additional charge to PAA for the cutting of the rock and delivery. Mr. Hackman suggested that they do one this year and then get approval for the other five next year. Mr. Morrison stated they would like to proceed with the project as PAA has suggested.

Mrs. Godshalk moved to approve the dugouts as PAA has suggested.

Mr. Fazzalore moved to amend the Motion to include PAA paying for slabs and all costs. Mrs. Godshalk did not accept the amendment.

Mr. Allan stated the Park & Recreation Board had this in their Budget. Mr. Hackman stated he feels they were already in the process of doing some of this work. Mr. Fedorchak stated it was anticipated in the 2001 Budget that the Township would be paying for the footers and slabs. He stated they are waiting for resolution of this issue. Mr. Hackman stated the original plan in the Budget had nothing to do with dugouts. It was to put three to four inches of concrete in the dugouts so that they would not be muddy. There were no footers. Mr. Morrison stated he feels Mac B and the Pool field were poured. Mr. Hackman asked if there were foundations, and Mr. Morrison stated there were including footers down to the frost line.

Mrs. Godshalk stated her Motion is approval for three fields. Mr. Fegley stated since it is in the Budget for the slabs he would second Mrs. Godshalk's motion and recommend continuing with that and any remainder, PAA would be responsible for. Mrs. Godshalk reiterated that this recommendation is for Phase 1 only.

Mr. Mark Cope stated they have visited fields in the surrounding communities which have dugouts similar to what they want to do, and it is very aesthetically inviting.

Mr. Allan questioned plans for the girls' fields, and Mr. Morrison stated they hope to get another backstop and another batting cage at Oxford/Roelofs.

There was discussion when Phase I will be constructed, and Mr. Morrison stated they plan to proceed with Phase I in 2001. He stated they are ready to proceed. Mr. Fazzalore stated he feels it will not be done until 2002. He stated it appears they will be doing both phases in one year. Mrs. Godshalk asked if they want approval for both phases. Mr. Hackman stated this would not be a Budget problem for the Township.

Mrs. Godshalk amended the Motion to approve Phase I and Phase II.

Mr. Fazzalore expressed concern with the signs regarding PAA registration throughout the Township which he feels are in violation of the Sign Ordinance. Mr. Morrison stated they did discuss this last year, and they agreed to take them down the day after the last registration.

Mr. Morrison stated he does not feel they have enough money to do all six dugouts in ten months. He stated it costs \$2,000 to \$3,000 per dug out.

Mr. Fegley seconded the Amended Motion and the Motion carried with Mr. Hackman opposed.

AWARD BID TO PURCHASE AIR COMPRESSOR

Mr. Hackman moved, Mr. Fegley seconded and it was unanimously carried to award the bid to purchase a new Ingersoll/Rand model P185WJD diesel power air compressor with all options needed to Elliott Frantz at a cost of \$13,931.

APPROVE SALE OF EXISTING AIR COMPRESSOR

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve the sale of the existing air compressor to Jim Harris for \$1,250.

APPROVE PURCHASE OF VIBRATORY PLATE/TAMPER

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve the purchase of vibratory plate/tamper for roadwork to Elliott Frantz at a cost of \$1,411.

APPROVE SALE OF 10 FOOT SNOWPLOW

Mr. Hackman moved and Mr. Allan seconded to approve the sale of the 10 foot snowplow to Scott's All Season for \$600.

Mr. Coyne stated this plow has not been used for some time.

Motion to approve carried unanimously.

APPROVAL OF RESOLUTION NO. 1093 - ADOPTING THE 2002 BUDGET

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve Resolution No. 1093 adopting the 2002 Budget.

APPROVAL OF RESOLUTION NO. 1094 - FIXING TAX RATES AND SPECIAL LEVIES

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve Resolution No. 1094 fixing tax rates and special levies.

Mr. Hackman noted that these items are all as agreed to in the advertised Budget that was announced in November, 2001.

APPROVAL OF RESOLUTION NO. 1095 - PROVIDING THAT NO CONTRIBUTION BE REQUIRED FROM POLICE OFFICERS TO FUND THE 2002 POLICE PENSION PLAN

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve Resolution No. 1095 providing that no contribution be required from Police Officers to fund the 2002 Police Pension Plan.

APPROVAL OF RESOLUTION NO. 1096 - PROVIDING THAT NO CONTRIBUTION BE REQUIRED FROM NON-UNIFORM EMPLOYEES TO FUND THE 2002 NON-UNIFORM PENSION PLAN

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve Resolution No. 1096 providing that no contribution be required from non-uniform employees to fund the 2002 Non-Uniform Pension Plan.

APPROVAL OF RESOLUTION NO. 1097 - ESTABLISHING THE 2002 PARK AND RECREATION FEE-IN-LIEU FEE

Mr. Hackman moved, Mr. Allan seconded and it was unanimously carried to approve Resolution No. 1097 establishing the 2002 Park and Recreation Fee-In-Lieu Fee.

APPROVAL OF RESOLUTION NO. 1098 - ESTABLISHING THE 2002 TRAFFIC IMPACT FEE

Mr. Hackman moved and Mr. Fegley seconded to approve Resolution No. 1098 establishing the 2002 Traffic Impact Fee.

Ms. Virginia Torbert asked if this amount has changed this year, and Mr. Doherty stated it went up approximately two and a half percent. Mr. Garton stated the exact amount depends on the traffic district you are located in. He stated you have to do a study and adopt a fund every year if you are going to increase the fee. Ms. Torbert asked if this is something the Township should re-visit, and Mr. Garton stated they could but it would have to be in accordance with the Municipalities Planning Code. He stated these monies can only be used for certain traffic projects and can only be used in the area where the money is paid from. Ms. Torbert stated she feels the Township should look at possibly raising some of these fees since traffic is not getting better. Mr. Doherty stated they have raised the fees every year in accordance with the cost of construction. Mr. Garton stated the Board would have to authorize another study if they wanted to raise them higher.

Motion carried unanimously.

APPROVAL OF RESOLUTION NO. 1099 DESIGNATING 2002 DEPOSITORIES FOR TOWNSHIP FUNDS

Mr. Hackman moved, Mrs. Godshalk seconded and it was unanimously carried to approve Resolution No. 1099 designating 2002 depositories for Township funds.

APPROVAL OF DECEMBER 3, 2001 AND DECEMBER 17, 2001 WARRANT LISTS, AND NOVEMBER, 2001 PAYROLL

Mrs. Godshalk moved, Mr. Allan seconded and it was unanimously carried to approve December 3, 2001 and December 17, 2001 Warrant Lists, and November, 2001 Payroll as attached to the Minutes.

Mr. Hackman stated at this point they have collected \$1,122,000 for transfer taxes and the Budget anticipated only \$980,000 so they have already exceeded the Budget with one month to go. Mr. Hackman stated construction permits were budgeted at \$330,000 and they have come in at \$537,000. He noted half of this does go to the Building Inspector. Mr. Fazzalore stated there are a number of Departments which are over Budget.

SUPERVISORS' REPORTS

Mr. Hackman stated they have received Plans from the Golf Course Architect, and the project is moving ahead.

APPROVAL OF LEASE AGREEMENT WITH BOB IRELAND FOR RENTAL OF THE STONE FARMHOUSE ON THE GOLF COURSE SITE

Mr. Fazzalore stated this is a short-term lease. Mr. Fedorchak stated it is a month-to-month arrangement, and they have advised Mr. Ireland that he may have to leave early or late spring; and he is willing to agree to this. They are charging him \$600 a month. This will provide daily security at the property.

Mrs. Godshalk moved and Mr. Allan seconded to approve the Lease Agreement with Bob Ireland for rental of the stone farmhouse on the Golf Course site.

Mr. Hackman stated he will not vote on this matter since Mr. Ireland has done work for him in the past. He stated the Township Manager was looking for someone to do some painting at the property, and Mr. Ireland has been involved in this project. Mr. Fedorchak stated the amount to be paid is under \$4,000.

Motion carried with Mr. Hackman abstained.

APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BECKY CECCHINE FOR SYSTEMS COORDINATOR

Mr. Fedorchak stated they are looking for a replacement for Ms. Cecchine, and he is committing to immediately begin the search for a new Systems Coordinator. He stated he

would like to make a change in the Agreement to include as one of her functions that she train the new Systems Coordinator. The Agreement calls for a \$5,000 retainer and \$20 an hour not to exceed fifteen hours per week. Mr. Hackman stated he feels they should strike the fifteen hours per week since there may be times when they need her more than fifteen hours per week. Mr. Fazzalore stated he feels it should be fifteen hours per week since Ms. Cecchine's main job is to be the Tax Collector which she was elected to do. He stated during the Election, her sponsor indicated that this was a full-time job. Mr. Fedorchak stated the start date should be January 7, 2002.

Mr. George Shrader stated he feels the Tax Collector position is a full-time job and during the election he agreed to do it as a full-time job. He asked how long this will take, and asked why they did not start looking for someone November 15. He also asked if they have considered a consultant. Mr. Fegley stated Ms. Cecchine has extensive knowledge in this area, and they need her to train her replacement. Mr. Fazzalore stated they hope that the Township Manager will hire someone quickly. Mr. Shrader asked how may elected officials in the Township have Professional Service Contracts, and Mr. Fazzalore stated he feels this is the only one.

Ms. Virginia Shrader asked why it will take six months to hire a replacement. Mr. Fegley stated when the Township Manager indicates it is time for the new person to take over, they will then not have Ms. Cecchine involved. Mr. Fazzalore stated before Ms. Cecchine took over, they were in dire straits. Mr. Fegley stated they are already beginning the search for her replacement. Ms. Shrader stated she feels one year seems like a very long time. Mr. Fedorchak stated they are not sure when they will find a qualified person but they are giving a good faith estimate that it will take six months to one year.

Mrs. Godshalk stated if Ms. Cecchine is training a new person, she will not be able to be in the Tax Office during those three hours each day. Mr. Fegley stated the existing Tax Collector was not in the office eight hours a day every day.

Mrs. Godshalk moved that this be for three months to give them incentive to find someone quickly. Motion died for lack of a second.

Mrs. Godshalk stated she feels they should approve this for three months; and if they need additional time, they could come back to the Board. Mr. Fedorchak stated while he was requesting one year, he would agree to nine months. Mr. Fazzalore stated he feels they should have started looking for someone in May. Mr. Fedorchak stated Ms. Cecchine was not elected until November, and he did not feel it was appropriate to move forward before then since they were not sure she would win the Election.

Mr. Hackman moved and Mr. Fegley seconded to approve the Professional Services Agreement with Becky Cecchine for Systems coordinator as requested by the Township Manager adding the start date of January 7, an additional duty of training the new Systems Coordinator, and that this be for a period of nine months. Motion carried with Mr. Allan, Mr. Fegley, and Mr. Hackman in favor and Mr. Fazzalore and Mrs. Godshalk opposed.

APPROVE HEALTH INSURANCE BENEFITS FOR NEWLY-ELECTED SUPERVISORS

Mr. Garton stated there is a proposal to provide the same health insurance benefits provided to Township employees for the newly-elected Supervisors if they so desire. This would be limited to \$2,500 per Supervisor per year.

Mr. Hackman moved and Mr. Allan seconded to provide the same health insurance benefits provided to Township employees for the newly-elected Supervisors.

Mr. Fegley stated he does not agree with this. He stated the Supervisors are part-time employees, and in the private sector part-time employees do not get health benefits. Mr. Garton stated if approved, this will remain in effect until rescinded by a new action of the Board.

Mrs. Godshalk stated the State Legislature does permit this. She stated she does not consider the Supervisors to be part-time employees. She added this only applies to those taking office after the first of the year.

Ms. Torbert asked if this applies to their entire family, and it was noted that it does but it is limited to \$2,500 per family.

Motion carried with Mr. Fegley opposed.

Mr. Hackman asked that the correspondence relating to this matter from the two newly-elected Supervisors be attached to the Minutes.

There being no further business, Mr. Allan moved, Mr. Fegley seconded and it was unanimously carried to adjourn the meeting at 10:15 p.m.

Respectfully Submitted,



Grace Godshalk, Secretary



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

**DECEMBER, 2001 WARRANT LISTS AND
NOVEMBER 2001 PAYROLL COSTS FOR APPROVAL
@ DECEMBER 17, 2001 BOARD OF SUPERVISORS MEETING**

12/03/01 Warrant List	\$ 499,123.40	
01/02 Prepaid Expenditures	33,090.01	
12/17/01 Warrant List	247,151.65	
Total Warrants & Prepays		779,365.06
<u>PAYROLL COSTS:</u>		
November, 2001 Payroll	367,531.47	
11/01 Payroll Taxes, etc.	27,629.92	
Total Payroll Costs		395,161.39
TOTAL TO BE APPROVED		\$ 1,174,526.45

