

TOWNSHIP OF LOWER MAKEFIELD
BOARD OF SUPERVISORS
MINUTES - SEPTEMBER 18, 2000

The regular meeting of the Board of Supervisors of the Township of Lower Makefield was held in the Municipal Building on September 18, 2000. Chairman Hackman called the meeting to order at 7:30 p.m. noting that the Board had been meeting in Executive Session since 6:30 p.m. to discuss legal and personnel matters.

Those present:

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

Others: Terry Fedorchak, Township Manager
John Koopman, Township Solicitor
Duke Doherty, Township Engineer
Joseph Bainbridge, Acting Chief of Police

PUBLIC COMMENT

Mr. Charles Patterson of 6 Del Rio Drive stated former Chief Ronaldo had approached the Board of Supervisors about installing defibrillators in all police vehicles. Mr. Patterson stated one of these saved his life, and he feels they should be in the cars. Acting Chief Bainbridge stated presently they have three on the street at all times. They are due to receive a fourth in approximately two months and will consider purchasing a fifth which will be in the Budget for next year. Mr. Fazzalore stated the Board agreed that they should have defibrillators in the cars once all officers were trained. Mrs. Godshalk stated she has read that there are classes being held to train civilians to use the defibrillators; and she feels that there should be one in the Township Building, and there should be people in the building trained to use it. She asked Mr. Fedorchak and Acting Chief Bainbridge to look into this.

Mr. Harold Koopersmith, 612 Wren Song Road, stated he joined the Pool for the first time this year and wanted the Board of Supervisors to know how well run it was. He thanked the Board, the Pool staff and the lifeguards for a wonderful facility. Mr. Hackman stated they will pass his comments on to Mr. Brad Sharp, the Pool Manager. Mr. Koopersmith stated he would also be willing to serve on the Pool Board.

Ms. Jeanette Schneider stated the Lower Makefield Township Seniors made a contribution to the Rescue Squad, and the Squad offered to give a course on using the defibrillator to their members. Mr. Steve Coyle from the Rescue Squad was present and stated they would be glad to do so.

Ms. Karen Freedman of Silverwood Drive stated Toll Bros. indicated their roads would be paved and the development dedicated after Dolington Woods I was completed. She asked when this will be done. Mr. Doherty stated Toll Bros. has asked for a pre-paving punch list. He noted until the development is dedicated it is Toll Bros. responsibility to plow the

roads. Mr. Hackman stated dedication can only occur when everything is completed. Mrs. Godshalk noted all homes must also have a Final Certificate of Occupancy.

Ms. Sue Herman stated at the last meeting PennDOT's response to the Parsons/Brinckerhoff report on CAU was sent to Mr. Yeager. Mr. Fedorchak stated Mr. Yeager sent his comments to Mr. Garton. Mr. Hackman agreed to provide an update on this matter at the next meeting. Ms. Herman asked the status of the Newtown Office Commons Hearing. Mr. Koopman agreed to check into this. Ms. Herman stated Mr. Doherty was going to follow up regarding the traffic light. Mr. Doherty stated a traffic light was approved but they still need to do a traffic count and need to wait until the road is open to do this. Mr. Fazzalore noted the Township will be paying for this light. Mr. Fedorchak stated they will use the Traffic Impact Fee monies.

LOWER MAKEFIELD SENIORS REQUEST FOR A BUILDING

Ms. Ada Derr, President of the Lower Makefield Seniors, was present and thanked the Seniors present for their attendance this evening. Ms. Derr read into the record the letter she sent to the Township (copy attached to the Minutes).

Mr. Hackman stated he was very disturbed that there have been two Referenda, both of which would have provided space for the seniors, and both of which did not pass. He stated this does not mean that the need has in any way gone away. Ms. Derr stated a Senior Center alone was never put on a Referendum so they cannot say that a Senior Center ever failed.

Mr. Hackman stated the Board of Supervisors is about to start the Budget process, although a Budget will not be approved until December. This will give a good understanding as to where the Township stands financially and what kind of balances they have in their various funds. He added he feels the Senior Center is a top priority item. He feels they should take care of the needs of the senior citizens before they start work on any other Park. Mr. Hackman stated he has visited a number of Center Centers in the area. He stated hopefully the Board of Supervisors will be able to agree on a course of action.

Mr. Fazzalore stated he would vote tomorrow for a Senior Center and feels the seniors deserve a place now. He stated the Township Building is not adequate for the number of seniors coming out to the programs that are currently being offered. He stated a Senior Center has nothing to do with a Community Center. He would be in favor of a Senior Center only - nothing else.

Mr. Hackman stated he is concerned that they are getting to the point where the Township cannot conduct business when the seniors are holding their functions in the Township Building.

Mrs. Godshalk thanked Ms. Derr for the work she has done on this project. She stated she, too, has visited a number of Senior Centers in the area and a number of them are supported by the County agencies. Ms. Derr stated funds have been cut back for these facilities. She stated there are now area facilities and Fairless Hills would be designated as the area facility for Lower Makefield and they could join that Center. She discussed with Mr. Conti the matter of funding and he indicated State funds are available but you would need to have a building first. Ms. Derr stated the Board of Supervisors has spent several

million dollars on Park land and development which never went to a Referendum. Ms. Derr stated she does not feel the seniors are getting their fair share of the taxes. Mr. Fazzalore noted 80% of the taxes go to the Pennsbury School District.

Mr. Allan noted the hours he worked on the Referendum to try to get it passed. He stated he has also been looking for a place for the seniors to meet since the Referendum failed. Ms. Derr stated she does not feel they need to put a Senior Center out to a Referendum.

Mr. Fegley stated they understand that a Senior Center would most likely cost approximately \$2 million since the Township would be subject to prevailing wage rates. He stated this would therefore most likely involve a tax increase.

Mr. Hackman stated the Board of Supervisors will consider this matter during the Budget process.

Ms. Mary Logan stated she has been working on this project for six years and nothing ever happens. She asked if this is going to be in the Budget. Mr. Hackman stated a decision on this has not yet been made. He added when they go through the Budget they look at General Operating Expenses first, then they look at capital improvements and look at what roads need to be paved and whether Parks will be developed, or improvements made to the various Township facilities. He stated in this process a Senior Center will be discussed. Ms. Logan asked if the Senior Center could not be listed under improvements for Park & Recreation, and Mr. Hackman stated he feels they should take care of a Senior Center before they do any Park development.

Ms. Jean Broadway stated she voted against the Referendum because of the high cost. She was in favor of a Senior Center but was not in favor of the large building being proposed. She agreed to volunteer to go to the Grundy Foundation, work with the seniors, and work with the Board of Supervisors to try and get funds to help build a Senior Center.

Ms. Mary O'Donnell asked if there is not funding from the State or Federal Government. Ms. Derr stated according to Senator Conti, you must have a building in order to qualify for those kinds of funds. Mrs. Godshalk stated the County will provide transportation if you have a building. Mr. Fazzalore stated he sits on the Community Development Organization for the County and many of the Senior Centers do get money for carpeting, furniture, etc., but not for construction. Ms. Derr stated she understand Bensalem did get money from the County for their addition.

Ms. Sally Conlon stated if this goes to a Referendum, they should not put it with anything else and it should stand alone.

MILFORD MANOR TRAFFIC ISSUES DISCUSSION

Mr. Gary Nolan of Esther Lane and Ms. Kathleen Maurer were present. Mr. Nolan noted on a drawing the location of Esther Lane, Big Oak Road, and Stony Hill Road. He stated cars are traveling at a high rate of speed, and the neighborhood is becoming a cut-through for the new developments. He stated they do not have any sidewalks in their development and cars are driving up to fifty miles per hour even though the streets are posted twenty-five miles per hour. He stated the Township did put up the portable speed sign and this did help the speeding situation. He stated the Police also issued a number of speeding tickets.

He stated they would propose a stop sign where Esther Lane meets Irving Road which would create a three-way stop. After review of prior Board Minutes they have found that the Board does not like to use stop signs to control speed but the neighbors are concerned about safety issues. Mr. Hackman stated the concern is that people roll through the stop signs and he feels stop signs that are being ignored are worse than no stop signs at all. Mr. Hackman stated this same problem exists all over the Township. Mr. Hackman asked if the Township engineer has looked at this area, and Mr. Doherty stated he has not.

Ms. Maurer provided a copy of a petition (attached to the Minutes).

Mr. Hackman asked the Township engineer to look at this situation. Acting Chief Bainbridge stated he did not feel it will qualify for a stop sign.

Mr. Nolan stated they have discovered that there were three-way stop signs installed that do not meet the criteria. He stated this appears to be selective enforcement. Mr. Koopman stated there is a potential for liability if a stop sign is installed that does not meet requirements. Ms. Maurer stated the neighbors would also like to know what they can do to help the situation. She stated it would also be helpful to have the Police periodically come to their neighborhood. Mr. Hackman stated he feels the Police should routinely go to areas where they know there are problems but there are not sufficient Police to have them everywhere.

Ms. Helen Wachnicki of Esther Lane stated where the neighbors are proposing a stop sign is on her property. She stated no one checked with her whether or not she wanted it in front of her home, and she does not feel it is necessary.

Ms. Melissa Cross stated she lives at the corner of Esther and Irving and this is being used as a cut-through by people from outside of the neighborhood. She stated there are a number of bus stops in the area so there are a large number of children in the area.

Ms. Wachnicki stated she has been in her home for twenty-three years and there have never been any accidents in this area.

Ms. Catherine Farrel stated there is an existing stop sign in the area and people are not stopping there. She asked what the other alternatives would be. She asked about the possibility of a one-way street or blocking off the street. Mr. Fegley stated this is a problem throughout the Township. He stated in the past a majority of the Board of Supervisors made a decision to close off a street in another development which created a substantial problem. He noted people do have the right to be on the public streets although they are required to follow the laws. He stated the Police Department does try to get into each neighborhood on a periodic basis. He stated normally the violators are people who live in the neighborhoods themselves. Ms. Farrel asked about making streets one way, and Mr. Hackman stated this would put people on other roads and create additional problems there. Mrs. Godshalk stated one-way streets can be very dangerous if there are people in the area who are not familiar with the fact that it is a one-way street.

One gentleman from Esther Lane stated since he has been in his home three major developments have been constructed and this has created additional traffic. He stated up to one year ago there were no stop signs in Milford Manor. He stated when people were not used to the stop signs which were initially installed, they did go through at first, but they do get used to them. He also noted the stop signs which were installed seem to be set up

very high and are well above smaller cars. Mr. Doherty stated they were installed at the official height. Mr. Coyne stated they are installed seven feet from the surface of the road.

Ms. Nancy Doyle of Gloria Lane stated a lot of families with young children have moved into the area and there are no sidewalks. They have to walk in the street, and she has had a number of close calls. She stated they have also seen a number of repeat offenders. She asked about the possibility of a "rippled" road surface. Mr. Doherty stated this could create problems with noise. Acting Chief Bainbridge stated the people in the neighborhood can apply community pressure to their neighbors since the speeders do tend to be people who live in the area. Mrs. Godshalk asked if they can report the license plate number of those they see speeding to the Police Department, and Acting Chief Bainbridge stated they can.

APPROVAL OF MINUTES

Mr. Fazzalore moved, Mr. Allan seconded and it was unanimously carried to approve the Minutes of August 21, 2000 as written.

Mrs. Godshalk moved and Mr. Fazzalore seconded to approve the Minutes of the Special Meeting of September 11, 2000 as amended. Motion carried with Mr. Hackman abstaining.

ACCEPTANCE OF DEP RECYCLING GRANT

Mr. Coyne was present and noted the equipment being purchased will be used in the leaf operation.

Mr. Fazzalore stated he does not feel BFI is providing the same services that Anders did in the past. He noted specifically cardboard which BFI is not picking up. Mr. Fedorchak was asked to look into this. Mr. Allan stated he would like to put the entire Township out to bid so that they can get a cut in the price of trash removal. He noted Bristol Borough pays much less. Mrs. Godshalk stated when you go out to bid you cannot get the discounts that certain residents get noting that people who put out only one bag per pick up pay less.

Mr. Fazzalore moved and Mrs. Godshalk seconded to accept the DEP Recycling Grant in the amount of \$43,650.

Mr. Hackman noted 90% of the cost of the equipment they are purchasing will be paid through this Grant.

Motion carried unanimously.

AWARD BID FOR WALK BEHIND VIBRATORY DIESEL POWERED ROLLER

Mr. Coyne noted this equipment is used for patching. Three bids were received with two bids submitted according to specs. He noted this type of equipment will permit easier replacement of parts.

Mrs. Godshalk moved, Mr. Allan seconded and it was unanimously carried to award the bid for the walk behind vibratory diesel powered roller to Elliott and Frantz, Inc., in the amount of \$12,150.

AWARD BID FOR SANITARY SEWER FLUSHING/TELEVISIONING

Mr. Hoffmeister stated this project will involve the Canal interceptor. He stated there were some problems last year with odors. He stated Video Pipe Services has done work for Lower Makefield Township in the past and are a reputable firm. Mr. Zarko is aware of them as well. Mr. Fazzalore noted the wide variance in the bids. Mr. Zarko noted this is not unusual and the bids came in as expected. The low bid is consistent with what they anticipated. Mr. Fazzalore asked where items such as this are included in the Budget. Mr. Hoffmeister stated Mr. Fedorchak and Mr. Taylor advised that they should move money out of capital to mains maintenance. Mr. Fazzalore stated he would like to see this line item moved.

Mr. Fazzalore moved, Mr. Fegley seconded and it was unanimously carried to award the bid for sanitary sewer flushing/televisioning to Video Pipe Services, Inc. for \$44,273.25.

UPDATE ON SPRING/HILLSIDE LANE WATER EVALUATION

Mr. Zarko stated they did receive updates on the well testing and the report should be submitted to the Township by next week. He stated approximately 30% of the properties have some kind of problem with their systems - a combination of sewer and water problems. He added there were two significant malfunctions.

Mr. Hackman stated they must also look at the stormwater management portion of the project to include curbs/sidewalks and consideration of work on the channel and underdrains. Mr. Fedorchak stated the residents were questioning the Township numbers with regard to stormwater in the area. He stated possibly the Township should look into this further.

Mr. Hackman asked if the property owners were cooperative, and Mr. Zarko stated approximately seven out of forty-two property owners would not allow them to do testing of the wells. Approximately 30% of the properties they were able to test did have some kind of problem.

Mr. Fazzalore asked if the Township can require installation of sewers if they determine that some people are in danger of contamination, and Mr. Koopman stated they can.

PUBLIC HEARING AND APPROVAL OF ORDINANCE NO. 326 - GRANTING A NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO RCN TELECOM, INC.

Mr. Fegley stated he attended a meeting in Newtown, and RCN is not really in a position to move into Newtown or Lower Makefield at this time but they need approval of an Ordinance from the Municipality giving them the Franchise before they can move in. Mr. Fegley stated he does not feel there is any harm in approving the Franchise Agreement since this will encourage competition.

Mr. Fazzalore noted the Cable TV Advisory Board was notified by the Manager of AT & T that by the first quarter of 2001, AT & T will become Comcast. He stated before they transfer to Comcast, he would like to see if the Township can receive any funds from the new owners as he is aware that they have paid other Townships in the past. Mr. Koopman stated they would have to review the Agreement. Mr. Hackman noted this did not take place during the transfer that occurred previously.

Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to approve Ordinance No. 326 granting a non-exclusive Cable Television Franchise to RCN Telecom, Inc.

Mr. Bernie Goldberg stated he would want to make sure that they will not install any above-ground structures without building permits, and Mr. Fedorchak stated they will be required to obtain building permits.

Mr. Pat Smith asked if anyone has looked into the financial condition of RCN. Mr. Fegley stated although he has not, he has seen them in a number of other areas. They also presented the Township with financial summaries. Mr. Smith asked if they are in other major markets, and Mr. Fegley stated they are. Mr. Smith asked if they will run their own lines, and Mr. Fegley stated they will.

Mr. Steve Coyle of Spruce Mill Drive stated he feels this is a good move for the Township.

APPROVAL OF LEASE FOR ELMLOWNE CARRIAGE HOUSE

Mrs. Godshalk stated changes were to be made which were not incorporated into the Lease. She noted Page 1 - Utilities and Service #10 and stated the Township does not provide trash removal. She stated they should also remove the word "heat" as the tenant must pay for their oil.

Mr. Fazzalore stated the next time this property is rented, all these items should be removed and they should install meters. He stated they should lower the rent and make sure that the person using the house is paying for all their own utilities. Mrs. Godshalk stated they did agree that meters would be put in.

Mr. Allan moved and Mrs. Godshalk seconded to approve the Lease for the Elm Lowne carriage house with the corrections noted which Mr. Koopman agreed to make.

Mr. Fazzalore stated all rent monies should be used to improve Elm Lowne and should not go back into the General Fund.

Motion carried unanimously.

APPROVE AWARDING 2000 BIKEPATH RESURFACING BID

Mr. Doherty stated they only received one bid but S & H has done work in the Township and their bid was 20% below the engineer's estimate. This will come out of the Park & Recreation Fund Budget.

Mr. Fazzalore moved, Mr. Allan seconded and it was unanimously carried to award the 2000 bikepath resurfacing bid to S & H Landscaping in the amount of \$34,738.75.

CLEARVIEW ESTATES DISCUSSION

Mr. Hackman asked about the detention basin at Clearview Estates. Mr. Doherty stated he understands they are going to begin work on this to begin the dedication process. Mr. Hackman stated it appears to be very steep, and Mr. Doherty stated the grade will be made mowable. Mr. Hackman asked about the bikepath on the opposite side of the street. Mr. Edward Murphy was present and stated they are still waiting for direction from the Township and whether additional ground needs to be acquired. Mr. Doherty stated the location is as was planned. Some trees will need to come down and additional land will have to be obtained between Longshore and Hilltop. He requested from Realen that they provide him plans of the two properties to submit to Mr. Garton. Mr. Murphy agreed to work on this. Mr. Fazzalore stated some of the trees are in the right-of-way and may have to come down, and Mr. Doherty agreed.

LOBERG TRACT PRELIMINARY/FINAL PLAN APPROVAL

Mr. Edward Murphy was present. Mr. Hackman stated there are one or two lots that are less than one acre, and Mr. Murphy stated they did obtain relief from the Zoning Hearing Board for this in order to retain the springhouse.

Mrs. Godshalk stated last week the developer applied for a demolition permit for two of the old buildings on the property. She suggested that Mr. DeLuca be asked if they would give the corn crib to the Township and move it to Elm Lowne. Mrs. Godshalk stated they could place it between the two parking lots at Elm Lowne. She noted Mr. Murphy has indicated the developer would be willing to move it to Elm Lowne. Mrs. Godshalk stated it has been a pleasure working with this developer on the project since they do appreciate the history of the Township and are saving the old farmhouse and the springhouse.

Mrs. Godshalk moved and Mr. Fazzalore seconded to grant Preliminary/Final Approval subject to:

- 1) Compliance with outstanding comments in the PCS review letter dated 9/6/00;
- 2) Compliance with conditions outlined in the Zoning Hearing Board decisions of 4/18/00 and 7/18/00;
- 3) Payment of Fee-In-Lieu of active recreation;
- 4) Payment of Impact Fee pursuant to Lower Makefield Township Traffic Impact Fee Ordinance;
- 5) Compliance with CKS memo of 9/14/00;
- 6) Receipt of all permits and approvals by all Agencies having jurisdiction;

- 7) Payment of all outstanding invoices and payment of any other Township expenses included in the Township's review of the Plan;
- 8) Developer agrees to relocate the existing corn crib from the property to Elm Lowne at the developer's expense.
- 9) Developer agrees to reimburse the Township the difference of the frontage improvements required by the Township versus those required by PennDOT with payment to be made at the time of the funding and execution of the Development Agreement;
- 10) Reimbursement to the Township for the cartway reduction from 36' to 30';
- 11) Funding and execution of Development and Financial Security Agreements;
- 12) Approvals of waivers as recommended by the Planning Commission and PCS as noted on the Plan.

Mr. Murphy stated there was discussion whether or not the Township would forgive the reimbursement for the reduction of the cartway width because of all the work the developer has done to get to this point. Mr. Murphy stated it is estimated this would be approximately \$12,000 to \$14,000. The Board was not in favor of forgiving this reimbursement.

Mr. Stan Tilton stated he feels this will be a wonderful property and is in full support of it. He stated 256 trees along the southeast corner of the property are to remain on the property. Mr. Murphy stated this is shown on the plan and is a condition of the Zoning Hearing Board. Mr. Tilton thanked the Township staff particularly Mr. Doherty and his office for addressing his concerns with water in advance of this project. Mrs. Godshalk stated if there are any dead trees in the area to be preserved, they should be removed prior to dedication. Mr. Murphy stated Mr. Doherty does always require this.

Mr. Coyne noted at the intersection of Mt. Eyre and Dolington Roads there was discussion about a street light because of the traffic in the area. Mr. Tilton stated there is a sign approximately thirty feet in advance of the intersection which states "Mt. Eyre Road" and he feels this should be removed. Mr. Doherty stated he also feels the telephone poles are in the right-of-way in this area. Mr. Steve Seu stated the sign Mr. Tilton is discussing is very confusing and should be removed. Mr. Doherty agreed to look into this matter.

Mr. Coyne suggested they use the off-site money for a street light. Mr. Doherty estimated the off-site money would be approximately \$10,000, and Mr. Coyne stated a street light would cost only approximately \$2,000.

Mrs. Godshalk stated she feels concrete monuments should be placed particularly along the rear lot lines. Mr. Murphy stated monuments are shown on the plan now. Mr. Doherty stated the property corners are iron pins. Mr. Stadulis stated corner markers will be set once the grading is done.

Motion to approve Plan carried unanimously.

**APPROVAL OF LOWER MAKEFIELD CORPORATE CENTER SOUTH CAMPUS
PRELIMINARY/FINAL PLAN**

Mr. Edward Murphy and Mr. Vince DeLuca were present. There was discussion on the restaurant proposed for the existing Center, and Mr. DeLuca stated there is currently no interest in the restaurant. He stated the chains who had been interested were no longer interested once they recognized a liquor license was not available. He stated the first building is 100% occupied. The second building is 75% leased and there are commitments for the rest. They plan to submit a Building Permit Application for the third building.

With regard to the South Campus Plan, Mr. Fegley asked about the stormwater management plan and it was noted this will be a permanent pond. Mr. Fazzalore asked if they meet the impervious surface requirements, and Mr. Murphy stated they do.

Mr. Koopman stated there needs to be discussion on outstanding issues including the traffic study. Mr. Koopman stated the developer has done a traffic study and some concerns have been raised by Mr. Allan whether an additional study was needed. Mr. Murphy stated Mr. Doherty is continuing to look at the traffic study issue as a result of Mr. Allan's concerns, and he feels they will eventually decide whether a traffic signal is needed at one of the two entrances on Township Line Road. Mr. Doherty stated they are still looking into this matter. Mr. Murphy stated this will eventually be an issue to be decided by PennDOT. He stated they would be willing to abide by the Township engineer's decision and that if a light is warranted and PennDOT agrees to it, the developer would be willing to install it so that they do not delay the project. It was noted there are 1465 parking spaces provided. Mrs. Godshalk stated she feels they may need two lights for this development. Mr. DeLuca stated they are willing to install a light if it is warranted. Mr. Allan stated he would prefer that they get the information from the Township engineer before the Board of Supervisors has to make a final decision. He would like to review the traffic study.

Mr. Fazzalore noted this is only a Preliminary Plan. Mr. Murphy stated while it is listed on the Agenda as a Preliminary Plan, there was discussion that if the Plans were in such a form that they would meet the Board's approval, they would consider granting Preliminary/Final approval.

Mr. Hackman noted there is a light at Stony Hill Road. The developer's engineer noted there is 520 feet between Stony Hill Road and the first entrance. Mr. Doherty stated he does not feel they could get a traffic light approved at the entrance near Stony Hill Road. He stated they may get it for the second entrance. Mrs. Godshalk noted there may be a need for a light at the Floral Vale Development. She stated she feels this should all be looked at together. She would agree to approve this Plan subject to the developer agreeing to install traffic lights if required by the Township. Mr. Hackman stated they should show a Plan that goes from Yardley-Langhorne Road to the By-Pass.

Mr. DeLuca stated if they are discussing two lights between Township Line Road and Stony Hill Road they would be willing to agree to this as well, although he does not feel this will be necessary or that warrants could be met. Mrs. Godshalk stated provided they are willing to install two lights in this area at some location to be determined, she would be willing to proceed.

Mr. Fazzalore asked if they experience any traffic problems at the North Campus, and Mr. DeLuca stated they do not at this time.

Mr. Allan asked if they could make it "in only" at the first entrance and "out only" at the second entrance. Mr. DeLuca stated he feels they should not force traffic patterns at this point. He stated he feels most people will make a right out to get to the By-Pass according to the traffic study statistics.

Mr. Fegley noted the existing entrance at Floral Vale and asked if they could expand this and eliminate the entrance being shown next to it at South Campus. Mr. DeLuca stated he no longer controls Floral Vale since it is owned by the Floral Vale Association and these are private roads. He noted what is currently being shown on the South Campus Plan is the same as was presented at the Sketch Plan stage.

Mr. Hackman stated he feels they do need two entrances and exits on this project because of the size of the property.

Mr. Allan asked if they would agree to a right-in and right out, and Mr. DeLuca stated although he would defer to the Township engineer, he does not feel this is good planning.

Mr. Fazzalore noted the Planning Commission recommended a connection between the Goodwin-Lacey property and this project, and Mr. DeLuca stated they have provided for this on the Plan. Mr. Murphy stated Goodwin-Lacey would have to modify their Plan to accommodate this. Mr. Koopman stated Goodwin-Lacey has already received Plan approval, and they would have to agree to this modification. Mr. Murphy stated they did have discussions with the owners of the Goodwin-Lacey property about this and they did not want to give up their access to Township Line Road. Mr. Hackman stated Goodwin-Lacey may have concerns about people cutting through their development if this connection is provided.

Mr. Koopman stated there is also an open issue regarding parking lot lighting and they are requesting a partial waiver. The Township engineer is in support of this waiver except they are concerned there may be some liability. Mr. Koopman stated if this waiver is approved, it should be conditioned upon the developer agreeing to indemnify the Township and hold them harmless as a result of any litigation that may result from not meeting the requirements. Mr. Doherty showed the area in question on the Plan where there are some dead spots and are less than required by Ordinance. Mr. Murphy stated they have made some changes and feel they have been able to correct this problem subject to Mr. Doherty's approval.

Mrs. Godshalk moved and Mr. Fazzalore seconded to grant Preliminary/Final Approval to the Lower Makefield Corporate Center - South Campus subject to:

- 1) Compliance with comments in the PCS letter of 9/7/00;
- 2) Compliance with comments in the CKS letters dated 8/18/00 and 9/18/00;
- 3) Compliance with terms and condition outlined in the PAWC letter dated 8/23/00;
- 4) Receipt of all approvals and permits by agencies having jurisdiction;

- 5) Applicant to comply with Lower Makefield Township Traffic Impact Fee Ordinance with the understanding that they will receive a credit for that portion of work done on Phase II which was in excess of the requirements imposed as part of the North Campus Approval;
- 6) Payment of all outstanding invoices and payment of any other Township expenses included in the Township's review of Plans;
- 7) Funding and execution of Development Agreement;
- 8) If recommended by the Township engineer and warranted by PennDOT, the developer would install up to two traffic lights between Yardley-Langhorne Road and Stony Hill Road along the frontage of this property and/or Floral Vale;
- 9) Approval of waivers as noted by Township Solicitor including the parking lot light partial waiver which will be subject to the Township engineer's recommendation.

Mr. Allan stated he is concerned that they do not have a Plan to see how the traffic will work. He stated he does not have a concern with approving only Preliminary Plan. Mr. DeLuca stated in 1991 the Township Line Road Traffic Study anticipated the development of all of these properties. They agreed to install three traffic lights which were installed. He stated Mr. Allan asked that a new Traffic Study be prepared which was prepared and submitted to PCS. PCS has not yet commented whether an additional traffic signal is warranted. This is why they agreed to install one or two traffic lights if the Township engineer feels it is necessary and it is warranted. He noted they do not control Floral Vale and cannot require that their entrance be used for this new development. Mr. Fegley asked if they could not install the second entrance next to the Floral Vale entrance. Mr. DeLuca stated the existing Floral Vale entrance has two way traffic in and out and installing a second entrance next to it would involve two way traffic in and out as well. Mr. Murphy stated Mr. Doherty's office has not questioned the entrances and are only discussing whether there is a need for an additional traffic light.

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

APPROVAL OF EXTENSION OF TIME TO VALLEY DAY SCHOOL SITE PRELIMINARY PLAN

Mr. Allan moved and Mrs. Godshalk seconded to approve an extension of time to the Valley Day School Site Preliminary Plan until 12/9/00.

Mrs. Godshalk stated she would like to be able to call this site by the name of the person seeking approval. Mr. Allan stated it is the Quaker Group. Mrs. Godshalk stated it is Quaker Group on Mill Road.

Motion to approved carried with Mr. Allan, Mr. Fazzalore, Mr. Fegley and Mrs. Godshalk in favor. Mr. Hackman was not present for the vote.

DENY DEDICATION OF AFTON CHASE

Mr. Fegley moved and Mrs. Godshalk seconded to deny dedication of Afton Chase as per the outstanding issues in the CKS letter dated 9/8/00 and the PCS letter dated 9/8/00 and because not all lots have a Final Certificate of Occupancy. Motion carried with Mr. Allan, Mr. Fazzalore, Mr. Fegley, and Mrs. Godshalk in favor. Mr. Hackman was not present for the vote.

APPROVAL OF SEPTEMBER 5, 2000 AND SEPTEMBER 18, 2000 WARRANT LISTS AND AUGUST, 2000 PAYROLL

Mr. Fegley moved, Mr. Fazzalore seconded and it was unanimously carried to approve September 5, 2000 and September 18, 2000 Warrant Lists and August, 2000 Payroll as attached to the Minutes.

UPDATE ON ROCK RUN DAM

Mr. Fedorchak stated last Friday he received the complete feasibility study from DEP for this project. He will forward a copy to PCS and Skelly & Loy. He tentatively is scheduling the DEP to appear before the Board of Supervisors on October 16, 2000 to discuss the project in more detail. Mrs. Godshalk asked that the property owners involved be contacted when this matter is on the Agenda.

TABLING DISCUSSION OF CONSULTANT FOR MERCER COUNTY AIRPORT EXPANSION

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to table the discussion of a consultant for the Mercer County Airport Expansion since Mr. Young had not yet submitted his report.

Mr. Hackman stated they did receive a letter from Justin Edward, the Airport Manager describing the curfew policy and this will be made available to interested Township residents. Mr. Hackman stated it appears it is a voluntary curfew. He stated they also received a letter from Robert Prunetti which discusses a voluntary noise abatement program. This will also be made available to the residents. Mr. Hackman stated he met with Mr. Greenwood and Mr. Steil to discuss the Airport, and as a result of that meeting it appears there is very little that they can do. Mr. Greenwood suggested that when they have discussions with the consultant that they are considering hiring that they get something specific from him as far as what his overall strategy is since Mr. Greenwood felt they could be paying a lot of money and the results would be very nebulous. Mr. Fegley stated this is why he felt the request for proposal should specify that the consultant would review the Environmental Assessment which would determine if there would be an Environmental Impact Study. He stated he should also review those items discussed by Mr. McManimon when he was present.

Mr. Fazzalore asked what would the next step be if the Township disagrees with the findings in the Environmental Assessment. Mr. Fegley stated if they do not follow the proper procedures, there would then be grounds to indicate that they are not following the letter of the law with regard to the Airport expansion. Mrs. Sandy Goldberg stated there are rules that they must follow. She noted several years ago there was a meeting with the representatives of the FAA and the Airport and they indicated at that time that they were following all the rules. She stated before a jet line is permitted to come into an airport, they are required to do an Assessment and they did not do so. Mr. Hackman stated the FAA can stop the expansion or the Freeholders can stop it.

Mr. Bernie Goldberg stated the Freeholders do want the support of Lower Makefield Township. Mr. Fegley stated the Freeholders seem to have their reservations about this expansion and if Lower Makefield Township can point out errors in the Environmental Assessment, he feels they may be able to influence their vote and not go forward without the Environmental Impact Statement. Mr. Fegley stated he does not feel filing lawsuits will help. He stated he feels the consultant should be asked to review the Environmental Assessment to make sure it was done properly.

Mr. Goldberg stated he also feels someone from the Township or Mr. Steil should go to one of the Freeholders meetings and tell them that they are concerned about what is going on. He stated Mr. McManimon has asked that this be done. He stated they have hired a consultant to prepare the Assessment at a cost of \$300,000 and Mr. Prunetti will not permit them to make it public. He stated out of the seven Freeholders, there are three who will vote against the expansion. If they can get a fourth, they could stop the project. Mr. Goldberg stated he feels Mr. Prunetti may be putting off presenting the Environmental Assessment until after the Election since then the Freeholders may change.

Mrs. Goldberg stated after the Environmental Assessment is made public, there will be a public meeting where people can voice their concerns and these are attached to the report which goes to the FAA; and this is when the Township can make their findings known. She stated she feels they should request a copy of the Environmental Assessment as soon as it is made public.

AWARD TRAFFIC SIGNAL MAINTENANCE BID

Mr. Allan moved and Mr. Fazzalore seconded to award the traffic signal maintenance bid to Precision Electric Signal.

Acting Chief Bainbridge noted the increase in price is due to the fact that there are more lights in the Township to maintain.

Motion to approve carried unanimously.

SUPERVISORS' REPORTS

Mr. Fegley noted information in the Board's packet about the proposed Community Involvement Day for Brock Creek. He stated Skelly & Loy is in the middle of their field studies and have walked the entire length of Brock Creek and part of Buck Creek.

They wanted to try to include a community project in the implementation phase which would be a time when members of the community could be involved in testing. The proposed date is October 14, 2000 from 9 A.M. to Noon. He would like to publish an ad in the Yardley News. He stated there are funds in the EAC Budget for this purpose. Mr. Fegley stated they will meet at the Township Building first and then travel to the sites. They also plan to have people pre-register.

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to permit an ad in the Yardley News on the Implementation Project at Brock Creek at a cost not to exceed \$300.

Mr. Fegley noted the Township's Wetlands Ordinance will be featured in an upcoming Township Supervisors' Magazine.

Mrs. Godshalk noted the Park & Recreation Board did meet and will be making recommendations on what should be included for Park development.

Mrs. Godshalk noted the Golf Course Committee met with a third architect and a fourth will be in this week.

Mrs. Godshalk noted there was a successful Elm Lowne Fund-raiser with 150 people in attendance.

TABLING OF RESOLUTION NO. 1037 - DRUG AND ALCOHOL AND RESOLUTION NO. 1038 - SEXUAL HARASSMENT

Mr. Hackman moved and Mrs. Godshalk seconded to table Resolution No. 1037 and Resolution No. 1038. Motion carried with Mr. Fazzalore opposed.

DISCUSSION OF I-95 RAMP

Mrs. Godshalk moved and Mr. Hackman seconded to table discussion of the I-95 Ramp. Motion to table did not carry as Mrs. Godshalk and Mr. Hackman voted in favor and Mr. Allan, Mr. Fazzalore, and Mr. Fegley were opposed.

Mrs. Godshalk stated she feels there are many changes from what was presented to the Township. She does not feel this should be discussed this late in the evening and it should be presented earlier in a meeting.

Mr. Fegley asked that Mr. Steil be asked to come in and discuss the changes.

Mr. Hackman stated this is a proposed new loop in I-95 to allow traffic to go east on the By-Pass to make a right turn to go north on I-95.

Mr. Fegley stated if three Board members are opposed to this, they should advise those involved in the project.

Ms. Karen Freedman stated she feels they need to address the Scudders Falls Bridge.

Mr. Fazzalore stated there are problems also at Taylorsville Road to get onto I-95. He stated he feels PennDOT should be brought in to advise the Township what is going to be done.

Mr. Fegley stated the Township's input resulted in reducing the amount of land being taken. Mrs. Godshalk stated in the memo they have received this has now changed. Mr. Fegley stated they must decide if it is necessary or not. He stated he feels if the Township kills this project, it is a decision that will effect traffic twenty-five years from now.

Mr. Fazzalore stated Mr. Warren advised him that if the Township does not want this project, they will apply those funds elsewhere. He stated the Township asked for this project twelve years ago, and it has now come up. They would like to start construction in 2001.

Mrs. Godshalk stated she feels what is being proposed is a "Band-Aid" and not enough is being done.

Mr. Fazzalore moved to adjourn the meeting. There was no second.

Mrs. Godshalk stated when she came to a meeting four years ago they showed the extent of the land to be taken and the Board got it down. Now on the Plan discussed in the memo it is calling for more land. Mr. Fegley stated he feels the details can be worked out.

Mr. Allan stated he feels if they can fix the bridge over Swamp Road, he would agree to proceed. Mr. Hackman stated Mr. Goodnoe discussed Swamp Road and their position is that the Swamp Road Bridge should not be upgraded until the entire stretch of Swamp Road is improved which could be a very long time. Mr. Hackman stated he did not feel linking those two was necessary or fair. Mr. Hackman stated there are regional traffic problems and he is willing to work with PennDOT and other Townships to solve regional problems; but if they refuse to discuss these things, he does not feel they should proceed. Mr. Hackman stated he feels PennDOT should be asked to come in and describe the changes and to what extent they are going to get involved with regional problems. He stated Mr. Steil feels PennDOT should come up with a regional plan and then maybe they could reach some resolution.

Mr. Fedorchak was asked to have PennDOT come in.

DIRECTION TO TOWNSHIP MANAGER REGARDING DONATION TO FALCON LIGHT FUND

The request from Friends of Falcon Field for a \$50,000 donation from the Township was noted.

Mr. Fazzalore moved, Mrs. Godshalk seconded and it was unanimously carried to direct the Township Manager to advise the Friends of Falcon Field that they will not contribute to the Falcon Field Light Fund.

September 18, 2000

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There being no further business, Mr. Allan moved, Mrs. Godshalk seconded and it was unanimously carried to adjourn the meeting at 11:30 p.m.

Respectfully Submitted,



Scott Fegley, Secretary



Township of Lower Makefield

BOARD OF SUPERVISORS

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

AUGUST, 2000 WARRANT LISTS AND JULY 2000 PAYROLL COSTS FOR APPROVAL @ AUGUST 21, 2000 BOARD OF SUPERVISORS MEETING

09/05/00 Warrant List	\$ 138,107.69	
09/00 Prepaid Expenditures	54,160.54	
09/18/00 Warrant List	349,933.05	
Total Warrants & Prepays		542,201.28
<u>PAYROLL COSTS:</u>		
August, 2000 Payroll	274,073.09	
08/00 Payroll Taxes, etc.	20,966.59	
Total Payroll Costs		<u>295,039.68</u>
TOTAL TO BE APPROVED		\$ <u>837,240.96</u>

